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THE LAST WILL OF A PRIEST.

"SOONER or later—soon at latest, for the longest life is short and fleet in ending—it will go abroad that we are dying. Our turn will be come. We who have lived to stand by and see so many die, as if we should live forever, we shall be lying on our deathbed at last. Will that day come upon us unawares? And shall we have time for the Sacraments? Priests often die without them."[1]

Just as the immediate preparation for death is often omitted by the priest, so it frequently happens that priests, having responsible charge, die without making any disposition of their temporalities which, in most cases, involve claims of justice or charity made against their priestly stewardship.

The Canon Law of the Church recognizes three principal sources of a cleric's income. They are: Possessions by *inheritance* (patrimonialia), fruits of *personal industry* (industrialia), under which class may be included those of economy (parsimonialia), and lastly *ecclesiastical property*. In regard to the first two sources, a priest's property is subject to the same dispositions of right and law as that of the laity. But

1 Manning, "The Eternal Priesthood," chapt. xx *The Priest's Death.*

the income which he receives from the Church, as her minister, is a sacred gift, supposed to be turned only to uses that are sacred. "Circa ecclesiastica (bona) praescriptis canonicis ita vinctus est, ut iis *non nisi pro honesta sustentatione sua, pro cultu divino aut ecclesiae decore augendo ac pauperibus et miserabilibus sublevandis* pie utatur." (Epis. Varmiens. ad cler. 19 Mart. 1889.) When provision has been made for the decent support of the priest and the altar, then the school and the poor of the flock call for a share of the offerings made by a faithful people in obedience to the precept of the Church.

The number of those who enter the priesthood with a large patrimony, or whose special talents enable them to pursue a lucrative employment apart from and without detriment to their priestly calling, is comparatively small. Those who have received both their education and their sustenance during life from the Church might say at their death that they own nothing and have nothing to leave in personal bequest. The last will of the venerable Archbishop Taché, who died not long ago, was an edifying example of this priestly spirit. "I owe nothing," he wrote, "and I own nothing, therefore I have nothing to leave. All the property movable or immovable which I administer is the property of the Archiepiscopal Corporation of the Roman Catholic diocese of St. Boniface, and will continue in the same manner after my death. This is to be understood not only of the property and capital belonging to the said corporation, but also of all property and capital registered in my personal name." One of the clauses at the end of the will reads: "The members of my family expect no legacy from me. They know my affection for them and are satisfied. I bid them farewell with the assurance of my deep attachment. May they pray to God for my soul, and may they ever live faithful Christians."

By the statutes of the Plenary Council of Baltimore[1] every bishop is directed to make a will in legal form, and to bequeath the ecclesiastical property under his management to his

1 Acta Conc. Pl. Balt. III, Tit. ix, n. 269.

successor in office. This will is to be executed in duplicate within three months after his consecration, one copy to be retained in the diocesan archives and another to be sent to the archbishop of the province. The archbishop deposits a copy of his own will with the senior suffragan bishop of the province.

The Council at the same time urges the making of a private will.[1]

But the Council insists with more explicit emphasis upon this latter obligation for the *pastoral* clergy. After pointing out the danger which arises to the good name of the priesthood and the edification of the faithful, from a neglect to keep careful accounts of the revenues and expenditures of the church, as distinct from personal property, the Fathers direct that every priest make a timely disposition of his earthly possessions, by a last will in legal form. The Third Provincial Council of New York contains a decree on this subject which the Plenary Council of Baltimore adopted, adding, "quod hortamentum, quia saepe hactenus neglectum, vehementer denuo inculcamus, simul monentes, ne usque ad extremum differatur ultimae voluntatis instrumenti confectio, hac praeter alias de causa, quod leges civiles non agnoscant dispositiones in pias causas per testamentum, nisi hoc duobus saltem mensibus ante mortem fuerit conscriptum."[2]

"It is the part of a prudent confessor to speak of this matter to his sick brother-priest before he hears his confession. It is likewise most becoming that among the executors of the testament there be at least one priest, known for his piety and prudence."[3]

Whilst the disposition of ecclesiastical property is on the whole secured by an accurate keeping of the prescribed *parochial account books* which the bishop or his vicar are obliged to examine at regular intervals, it may easily happen

1 Neque omittant de bonis suis propriis testamento accurate et solerter confecto tempestive providere, quo nulla, ipsis vita decedentibus, de privata proprietate difficultas oriatur. *Conc. Plen. Balt.* III, l. c.

2 L. c. n. 277.

3 Conc. Balt. Pl. III, l. c.

that the personal belongings of a priest are misapplied after his death, by reason of the absence of a will. Neither his ecclesiastical superiors nor his successors in office are recognized by the law as interpreters of his wishes, however sure they may be of them, in reference to the disposition of the personal property of the deceased. Where there is no last will, the legal heirs are the kindred of flesh and blood, not the spiritual children to whose care he pledged himself when he selected in turn the portion of the Lord as his perpetual inheritance. Mr. Carnegie, one of the wealthiest men in the United States, is credited with having recently said in public that "to die a rich man in our day is to die disgraced." If this be true of the laity it is much more true of the clergy. The legal heirs of a priest are not always such as to honor the memory of their priestly relative; they may not refuse or scruple to appropriate for profane uses that which would never have been freely given to the "man of God," except with the tacit understanding that it would go to sustain the church and the altar, or those who serve thereat. There was a time when State and Church combined in preventing such contingencies, by annulling bequests of clerics made to relatives who led scandalous or dishonest lives.[1]

Although the letter of such laws has long since gone out of force, their spirit plainly pervades the legislation of our national Council. "The spirit of the Gospel and Christian charity demand," say the Fathers of Baltimore, "that priests contribute to the support of charities, and that at the time of their death they bequeath at least a part of what they possess for a similar purpose. Often, indeed, it happens, either through forgetfulness or through neglect that priests remember in their wills neither the Church nor the poor; and there being no distinct account left by them of what is their personal belonging, and what is the property of the

1 Statuimus, ut Clericis curatis et non curatis, testandi libera sit facultas, ita tamen ne turpes et inhonestas personas haeredes instituant aut eis in testamento vel codicillo legatum relinquant. Martin Ep. Vratisl. Syn. dioec. a. 1580.

Church or destined for charitable purposes, the natural heirs seize the opportunity to enrich themselves with these goods, which breeds scandal among the faithful, loss to the Church in spiritual and temporal matters, and disgraceful strife.'"[1]

To avoid such contingencies, not unlikely to destroy much of the meritorious work upon which a faithful priest rests his hopes in eternity, it is necessary that he leave after him a clearly worded testament in legal form.

For the proper discharge of this duty, which, as has been intimated, a priest owes to himself as well as to others, three things are worthy of consideration, namely the time, the matter, and the manner of executing a will.

An ecclesiastic who has assumed the responsibility of administrator in temporal matters, connected wholly or in part with his spiritual charge, should lose no time in making a written testament concerning the things which he owns, and those which are entrusted to him in his official capacity for transmission to his successor. There is a disposition in most men to delay such an act. They wish to have things first "settled and in shape"; or they are adverse to the thought of death in this particular connection. They make a draft of their will and have it in their room ready for signature, but, as Cardinal Manning says, "they put off signing it to to-morrow and to the next day, and at last they bequeath loss to the Church and trouble to everybody, by dying intestate."[2] There are, it is true, circumstances which prevent the immediate disposition of property, but even then the contingencies upon which such disposition is made to depend, may be stated in a will and, if properly attested, make the expressed intention of the testator sufficiently valid for execution.

The law in some localities renders void a bequest made for charities, unless it antedates the death of the testator a certain length of time. The purpose of such law is to prevent the abuse of religious influence, to the disadvantage of legitimate heirs. Accidentally this law may operate to the disadvantage of a legitimate claim, and in such cases the dying testator may be advised to make a nominal bequest to some

1 Conc. Pl. Balt. III, l. c. 2 *Eternal Priesthood*, l. c.

trustworthy person with the understanding in writing, before witnesses, that the nominal heir is to use the bequest for a certain charity. This latter agreement is distinct from the legal will, and the gift is recognized as legitimate before the law.

In regard to the estate disposed of in a will, the payment of all just debts is a first consideration. This supposes that the line between personal property and such as belongs by right to the Church, is clearly marked by an inventory which, according to the ecclesiastical canons, is to be kept in every parish. Whatever just title there may be for the relatives of a priest to a share of his possessions, the high sense of disinterestedness which is commonly looked for in the life and actions of a priest suggests the superior wisdom of disposing of these claims, as far as possible, without mentioning them in a will. The most enduring monument, as well as the highest praise of a priest after death, is the eulogy which proclaims his poverty.

When the claims of justice have been duly considered, those of charity call upon the testator for consideration. The order to be observed in bequests to charities is to be determined by circumstances of place, of persons and of necessity. Many a noble institution might find its permanent support by an organized direction of charity through bequests. We have before us a letter of a bishop to his clergy, dealing with this subject. After adverting to the ancient Canon Law making the last will of a priest void if it did not contain some charitable bequest, he states the law of the land in regard to the validity of wills. He next points out how justice demands that the church edifice, the schools, the parochial house, and the different parish institutions, have a share of that fruit which has been mainly derived from the contributions of the faithful parishioners. Then the document continues: "Tum pro arbitrio quisque suo necessitatibus caritatis christianae sibi cognitis animum advertat: ecclesiis noviter erigendis aut perficiendis, nosocomiis, hospitalibus, orphanotrophiis, etc. Quibus si anniversarium aut simile Beneficium pro ipsius et propinquorum animis celebrandum . . . modica quadam

solatia addiderit, sane nemo iniquum reputabit. Haec quidem pro testamentis circa *bona sua ecclesiastica* cuivis sacerdoti *quasi lege justitiae* imponuntur. Circa alia bona patrimonialia aut industrialia, etsi idem magis liber est, tamen ut etiam ex sua eorum dispositione ipse vere sacerdos plenus fidei et caritatis divinae appareat, jam *lege honoris* requiritur."

This leads to the consideration of the form that should invariably characterize the last will of a priest. The words of a dying man have a peculiar force. They throw a light upon all his past life; they project the hope which leads him to the throne of his Judge; and they often influence the measure of charity that will be given him in the prayers of his children and friends. A priest may preach more effectually from his tomb than ever he did during his lifetime, by the words written in his testament or upon his tombstone. There are beautiful examples of priestly forethought in this respect. "I die in the faith of the One Holy Catholic Apostolic Church," wrote Cardinal Newman on Passion Sunday, 1864, in direct view of death, nearly thirty years before that death came upon him. "I commit my soul and body to the Most Holy Trinity and to the merits and grace of our Lord Jesus, God Incarnate; to the intercession and compassion of our dear Mother Mary; to St. Joseph and St. Philip Neri, my father, the father of an unworthy son." His last will was a prayer as well as a bequest. Another holy priest, whose books are still a household-treasure in many a Christian home, directed that upon his tomb be written: "Dear Christian friend, when you pass by this grave, tarry a moment, to say an *Ave*, in gratitude for the Catholic faith which you possess, and for the happy rest in Christ of Alban Stolz."

There is a general impression that a will, unless made with every formality of a legal instrument, may easily become void. This is not true. "The law," says Professor Washburn[1] on this subject, "is far less stringent in matters of form, in respect to these than to most legal instruments,

1 Harvard Lectures on the Study and Practice of the Law. Lect. V, n. 10.

because they often have to be made under circumstances which preclude professional aid." The one point to be observed above all others is that the testator clearly indicate his purpose, and designate "the objects of his intended bounty, or state enough to identify or ascertain who are to take as legatees or divisees under his will."[1]

It is, of course, necessary that the laws of the State in regard to "age and mind," "alteration and repeal," "signature," "witnesses," etc., be known and regarded in order that the will be properly executed. This subject will be explained in another paper of this number of the REVIEW.

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THE PRIEST AS ADVISER IN TESTAMENTARY MATTERS.

The ecclesiastical Canons are explicit in their warnings to priests to keep aloof from all unnecessary interference with the temporal concerns of their parishioners. This applies in an especial manner to testamentary action.[2]

1 "The point upon which more wills fail than any other is in undertaking to create secondary estates, that are to come in and take the place of prior ones, which, by their terms, may fail by the happening of some event." —*Ibid.*

2 To be convinced of this one needs only read the rules laid down by St. Charles Borromeo in the Acts of the Provincial Councils of Milan. "Cavebunt, ne . . . laborent, ad testamenti factionem, aut ad aliud ultimae voluntatis genus, ne agnatis quidem illorum flagitantibus, ullo modo inducant atque impellant: nisi aliquando vel christiana charitas, vel propinquorum status commiseratione dignus aliter suaserit; tuncque si temporis spatium datur, rem ipsam ut est, cum episcopo, aut praelato regionario, aut Vicario suo foraneo communicabunt." Act. Conc. Prov. V, cap. *Quae disciplinae ratio.*—A testamenti, codicillorum, donationis et alterius id generis ultimae voluntatis conscriptione abstinebunt, nisi urgens necessitas aliter deposcat; cum alii scilicet aeque idonei non sint, neque aliunde acciri possint qui conscribant: tuncque ut avaritiae et sordidi quaestus suspicioni occuratur, testes, quoad ejus fieri potest, auctoritate et vitae moribus insignes adhibebunt.—*Ibid.*

Nevertheless there is probably no person whose counsel in such matters is so frequently sought, as a priest among his parishioners. Nor is the exceptional confidence, which a Catholic reposes in the sacred minister of his religion, the only cause which may induce a priest to act as guide in the proper disposition of a dying person's affairs. There are reasons more grave and binding, because they involve questions of justice which the pastor of souls is bound to take cognizance of.

Called to the sickbed, the priest's first duty to his dying parishioner is to advise him prudently of his danger, and to show him the way to prepare for death. That way leads to Judgment, and in Judgment an account is to be rendered of the use of all things which were to be for the Christian an instrument to secure his eternal salvation. Some past wrongs may be canceled by restitution to their rightful owner, of the things still in the power of their nominal owner. On the other hand the seed of future wrong may be laid by a neglect to dispose justly of the things which after death become means of good or evil in the hands of those who fall heirs to them.

Under such circumstances it may become the proper office of the priest to remind the dying person of the necessity of making a disposition of his belongings, which will prevent injustice or strife and misuse, incident to an intestate death. In large communities, or with persons of business habits, there is no reason for these suggestions, unless the neglect be plain, or the duty of restitution and other omissions of equity be made known to him in a legitimate way. But a priest has care of souls in many out-of-the-way places, where people know little of law, and often less of duty. There his duty is plain. He reminds his patient of the manner in which he or she must regard the function of testator:

a. By satisfying all claims of *justice*, such as the payment of debts, the making of restitution of ill-gotten gain, etc.

b. By satisfying the duty of relationship to children and other deserving kindred, to benefactors, etc.

c. By benefaction to worthy charities, hospitals, orphanages, schools, church societies for support of the poor, etc.

d. By complying in the making of these dispositions with the proper forms of law, so as to avoid possible litigation and delays.

It is needless to say that these suggestions are to be made with such prudence and reserve as to prevent all suspicion of personal interest. A priest should not, as St. Charles observes in the above cited passage from the Acts of Milan, write out, sign or act as executor of a last will, unless there is no other person competent under the circumstances to do so. In such cases prudence demands that the act be performed in presence of reputable witnesses. For the greater convenience of priests acting under such necessity we append the requirements of the Statute Laws in the various States of the Union and Canada. These will, to a large extent, serve our readers in other English speaking countries. The Common Law admits certain recognized forms with which it is well to be familiar, especially where professional assistance cannot readily be had in the drawing up of wills.

THE STATUTE LAW REGARDING TESTAMENTS.

There are four different forms of Wills or Testaments:

1. *Nuncupative, by private act.*
2. *Nuncupative* (or open) *by public act.*
3. *Mystic* (or sealed).
4. *Olographic.*

I. A *nuncupative* testament, under private signature, must be written by the testator himself, or by any other person from his dictation, or even by one of the witnessess, in the presence of five witnesses residing in the place where the will is received, or of seven witnesses residing out of that place. Or it will suffice if in the presence of the same number of witnesses, the testator presents the paper on which he has written his testament, or caused it to be written out of their presence, declaring to them that that

paper contains his last will. In either case, the testament must be read by the testator to the witnesses, or by one of the rest, in the presence of the testator; it must be signed by the testator, if he knows how, or is able to sign, and by the witnesses, or at least two of them, in case the others know not how to sign, and those of the witnesses who know not how to sign must affix their mark.

In the country, it suffices for the validity of nuncupative testaments under private signature, if the testament be passed in the presence of three witnesses residing in the place where the testament is received, or of five witnesses residing out of that place, provided a greater number of witnesses cannot be had.

II. *A nuncupative testament by public act* must be received by a notary public in the presence of three witnesses residing in the place where the will is executed, or of five witnesses not residing in the place.

This testament must be dictated by the testator, and written by the notary as it is dictated.

It must then be read to the testator, in presence of the witnesses.

Express mention is made of the whole, observing that all these formalities must be fulfilled at one time, without interruption, and without turning aside to other acts.

This testament must be signed by the testator; if he declares that he knows not how, or is not able to sign, express mention of his declaration, as also of the cause that hinders him from signing, must be made in the act. This testament must be signed by the witnesses, or at least by one of them for all, if the others cannot write.

III. *A mystic, or secret testament*, is made in the following manner: the testator must sign his dispositions, whether he has written them himself, or has caused them to be written by another person.

The paper containing these dispositions, or the paper serving as their envelope, must be closed and sealed.

The testator shall present it thus closed and sealed to the notary, and seven witnesses, or he shall cause it to be closed and

sealed in their presence. Then he shall declare to the notary, in the presence of the witnesses, that that paper contains his testament written by himself, or by another by his direction, and signed by him, the testator. The notary shall then draw up the act of superscription, which shall be written on that paper, or on the sheet that serves as its envelope, and that act shall be signed by the testator, and by the notary and the witnesses.

All that is above prescribed shall be done without interruption or turning aside to other acts; and in case the testator, by reason of any hindrance that has happened since the signing of the testament, cannot sign the act of superscription, mention shall be made of the declaration made by him thereof, without its being necessary, in that case, to increase the number of witnesses.

Those who know not how or are not able to write, and those who know not how or are not able to sign their names, cannot make dispositions in the form of the mystic will.

If any one of the witnesses to the act of superscription know not how to sign, express mention shall be made thereof.

In all cases the act must be signed by at least two witnesses.

IV.—*An olographic testament* is that which is written by the testator himself. In order to be valid it must be entirely written, dated, and signed by the hand of the testator. It is subject to no other form, and may be made anywhere, even out of the State.

It suffices, for the validity of a testament, that it be valid under any one of the forms prescribed by law, however defective it may be in the form under which the testator may have intended to make it.

Testaments made in foreign countries, as a rule, take effect in any State of the Union, if they be clothed with all the formalities prescribed for the validity of wills in the place where they have been respectively made.

The form of foreign wills is regulated by law of domicile.

Testaments of persons employed in armies in the field, or

on a military expedition, may be received by a commissioned officer, in the presence of two witnesses. If the testator is sick or wounded his testament may be received by the physician or surgeon attending him, assisted by two witnesses. Such testaments are subject to no other formalities than that of being reduced to writing, and being signed by the testator, if he can write, by the person receiving them, and by the witnesses. The testament made in this form shall be null in six months after the return of the testator to a place where he has an opportunity to employ the ordinary forms.

Testaments made during a voyage at sea may be received by the captain or master, in presence of three witnesses, taken by preference from among the passengers; in default of passengers, from among the crew. The testament made at sea can contain no disposition in favor of any person employed on board the vessel, unless the legatee be a relation of the testator. This testament is subject to the same formalities as the preceding one, and no others, and it is not valid unless the testator dies at sea, or within three months after he has landed in a place where he is able to make it in the ordinary forms.

Alteration and repeal may be by burning, canceling, destroying, or obliterating by the testator himself, or by some one in his presence, or by his express direction, or by a new will or codicil, or other writing, duly executed or proved.

ALABAMA.

Written Wills.

Every will must be in writing, unless the person making the same is prevented by the extremity of his last sickness.

All persons of the age of twenty-one years, and of sound mind, may devise lands and any interest therein, by their last will.

All persons of the age of eighteen years may dispose of all their personal property by their last will.

Execution.

No will (excepting nuncupative wills, of not exceeding five hundred dollars' worth of property) is effectual unless the same is in writing, signed by the testator, or some person in his presence,

and by his direction, and attested by at least two witnesses, who must subscribe their names thereto, in the presence of the testator.

Unwritten or Nuncupative Wills

may be made during the last illness of property not exceeding in value the sum of five hundred dollars.

ARKANSAS.

Written Wills.

All persons of the age of twenty-one years and of sound mind, may devise lands and any interest therein, by their last will.

All persons of the age of eighteen years may dispose of all their personal property by their last will.

Execution.

Every will must be in writing, etc. No will (excepting nuncupative wills, of not exceeding five hundred dollars' worth of property) is effectual unless the same is in writing, signed by the testator or some person in his presence, and by his direction, and attested by at least two witnesses, who must subscribe their names thereto, in the presence of the testator.

No informally signed and attested will can be pleaded in bar of one subscribed in due form.

Signature.

It must be subscribed by the testator at the end of the will, or by some person for him at his request. Such subscription must be made by the testator in the presence of each attesting witness, or acknowledged by the testator to each of the attesting witnesses to have been made and subscribed as aforesaid. At the time of such subscription and acknowledgment the testator must declare the instrument so subscribed to be his last will and testament.

Witnesses.

There must be at least two attesting witnesses, each of whom must sign his name as a witness at the end of the will, at the request of the testator.

Where the entire body and signature of the will is in the handwriting of the testator, it may be established by the unimpeachable evidence of at least three disinterested witnesses to the handwriting and signature of the testator, *without subscribing witnesses.*

Unwritten or Nuncupative Wills.

Unwritten or nuncupative wills may be made during the last illness, and may bequeath estate not exceeding in value five hundred dollars.

Proof

must be by two witnesses.

CALIFORNIA.

Written Wills.

Every person of sound mind, and over eighteen years of age, may dispose of all his or her estate, real or personal.

Execution.

No will (except such nuncupative will as is mentioned below) is valid, unless it is in writing, duly signed and attested or proved. Must be executed at least thirty days before the death of the testator for charitable purposes. Charitable bequests cannot exceed one-third of the estate of one leaving legal heirs.

Signature

must be by the testator, or some person in his presence and by his express direction.

Witnesses.

It must be attested by two or more witnesses, subscribing their names to the will in the presence of the testator and in the presence of each other.

Unwritten or Nuncupative Wills.

No nuncupative will shall be good where the estate bequeathed exceeds the value of one thousand dollars ; nor unless the same be proved by two witnesses who were present at the making thereof, nor unless it be proved that the testator at the time of pronouncing the same did bid some one present to bear witness that such was his will, or to that effect ; nor unless it was made at the time when the decedent was in actual military service in the field, or doing duty on shipboard at sea, and in either case in actual contemplation, fear or peril of death, or the decedent must have been at the time in expectation of immediate death from an injury received the same day.

A nuncupative will must be reduced to writing within thirty days, and proved within six months after the same was uttered.

COLORADO.

Written Wills.

Males aged twenty-one years, females aged eighteen years, being of sound mind and memory, may dispose of their real and personal property by will, subject to the payment of his or her debts; except that a married man cannot deprive his wife of over one-half of his property, and *vice versa*, without the consent of the other in writing.

Personal estate may be disposed of by will or testament by any one of sound mind and memory, at the age of seventeen.

Execution.

All wills devising lands, tenements, and hereditaments, annuities, or rents, must be reduced to writing, and duly signed and attested.

Signature

must be by the testator or testatrix, or by some one in his or her presence, and by his or her direction.

Witnesses.

Two or more credible witnesses to the signature, etc., of the will, in the presence of the testator or testatrix, are necessary to the validity of the will.

CONNECTICUT.

Written Wills.

All persons over eighteen years of age, and of sound mind, may dispose of all their property, real or personal, by last will or testament.

Execution.

All wills must be in writing, duly signed and proved.

Probate.

must be effected within ten years from the testator's death.

Signature.

must be by the testator.

Witnesses.

The attestation must be by three witnesses, all of them subscribing the will in the presence of the testator, and in the presence of each other.

DAKOTA.

Execution.

A will of real or personal property, or both, or a revocation thereof, by a person not domiciled here, and executed according to the place of the testator's domicile elsewhere, is as valid as though executed according to the laws of the territory.

Signature.

It must be subscribed at the end thereof by the testator himself, or by some person in his presence, and by his discretion. The subscription must be made in the presence of each of the attesting witnesses, or be acknowledged by the testator to each of them to have been made by him, or by his express authority. The testator must, at the time of subscribing or acknowledging the same, declare to the attesting witnesses that the instrument is his will.

Witnesses.

There must be two attesting witnesses, each of whom must sign his name as a witness at the end of the will, at the testator's request, adding his place of residence.

A person who subscribes the testator's name, by his direction, must write his own name as a witness to the will.

DELAWARE.

Written Wills.

Any person at the age of twenty-one years and upwards, of sound and disposing mind, may make a will.

Execution

must be in writing, duly signed and attested.

Married Women

cannot deprive their husbands of the courtesy of their life-interest in their property.

Signature

must be by the testator, or by some person subscribing the testator's name in his presence, and by his express direction.

Witnesses.

It must be attested and subscribed in his presence by two or more credible witnesses.

DISTRICT OF COLUMBIA.

Written Wills.

Males must be of the full age of twenty-one years and upwards. Females must be of the full age of eighteen years. All persons must be of sound and disposing mind, and capable of executing a valid contract or conveyance.

Execution.

All devices and bequests of lands or tenements devisable by law must be in writing, duly signed and attested.

Signature

must be by the person devising or making the will, or by some other person in his presence, and by his express direction.

Witnesses.

Such signature, etc., must be attested and subscribed in presence of the devisor by three or four credible witnesses.

FLORIDA.

Written Wills.

Every person of the age of twenty-one years and upwards, of sound and disposing mind, may execute a last will and testament.

Execution

must be in writing, duly signed and attested.

Foreign Wills

must be executed according to the laws of this State in order to be of effect therein and operate as a devise of lands.

Signature

must be by the testator, or some other person in his or her presence, and by his or her express direction.

Witnesses.

Such signature must be attested and subscribed in the presence of the testator or testatrix by three or more competent witnesses.

Unwritten or Nuncupative Wills.

A nuncupative will must be made in the time of the last sickness of the deceased. It must be proved by the oath of three witnesses

at least, that were present at the making thereof; and it must be proved by said witnesses that the testator or testatrix, at the time of pronouncing the same, did desire the persons present, or some of them, to bear witness that such was his or her will, or to that effect.

Six months after the speaking of such words no testimony shall be received to prove any nuncupative will, unless said testimony, or the substance thereof, was reduced to writing within six days from the making of said will, and sworn to before some judicial officer of the State within six days.

GEORGIA.

Written Wills.

All persons must be of lawful age, and of sound and disposing mind.

Execution.

All wills (except nuncupative) disposing of real or personal property must be in writing, duly signed and attested.

Signature

must be by the testator, or by some person for him, in his presence and by his express directions.

Witnesses.

It must be attested and subscribed in the presence of the testator by three or more competent witnesses.

A witness may attest by his mark provided he can swear to it.

One witness cannot subscribe the name of another even in his presence and by his direction.

ILLINOIS.

Written Wills.

Every male person twenty-one years of age, and every female person eighteen years of age, of sound mind, may make a will.

Execution

must be in writing, duly signed and attested.

Probate or Proof.

Wills executed out of this State may be admitted to probate in the manner provided for the probate of wills in this State, whether probated here or elsewhere.

Signature

must be by the testator or by some person in his presence, at his direction.

Witnesses.

Such signature, etc., must be attested in the testator's presence by two or more subscribing witnesses.

INDIANA.

Written Wills.

All persons of sound mind who are twenty-one years of age may make wills devising all their estate, of every kind or nature, to any person or corporation, saving only the legal provision for the widow.

Execution

must be in writing (except nuncupative, bequeathing not to exceed one hundred dollars), duly signed and attested.

Probate or Proof.

Wills may be probated by the Circuit Court of any county where the testator resided, or in which he shall die leaving assets, on proof of execution by one or more subscribing witnesses, or by proof of the handwriting of the witnesses in case of their incompetency, death, or absence. Wills executed without the State, and probated in another State or country according to the laws thereof, may be recorded and shall have the same effect as if executed in this State.

Signature

must be by the testator, or some person in his presence and by his direction.

Witnesses.

Such signature must be attested by two persons subscribing as witnesses in his presence.

IOWA.

Written Wills.

After-acquired property may be devised when the intention is clear and explicit.

Any person of full age and sound mind may dispose of all his property except what is sufficient to pay his debts, or what is allowed as a homestead or other exemption for his wife and family.

Execution

must be in writing, duly signed and attested.

Signature

must be by the testator, or by some person in his presence, and by his express direction.

Witnesses.

Two disinterested and competent witnesses are necessary. Unless there be such witnesses no subscribing witness to a will can derive any benefit therefrom.

Unwritten or Nuncupative Wills.

Personal property to the value of three hundred dollars may be bequeathed by a verbal will if witnessed by two competent witnesses.

A soldier in actual service, or a mariner at sea, may dispose of all his personal estate by a nuncupative will so witnessed.

KANSAS.

Written Wills.

Any person of full age and sound mind and memory may give and devise his property of every description by last will and testament.

Execution

must be in writing, duly signed and attested.

Probate or Proof.

A will executed, proved, and allowed in another State, may be admitted to record in the probate court of the county where property devised, etc., is situated, by producing an authenticated copy.

A will enclosed in an endorsed sealed wrapper may be deposited in the office of the judge of the probate court, subject only to the order of the testator during his life, and after his death to the person named on it, or in the absence of such name to be publicly opened in the probate court, within two months after notice of death of testator.

Signature

must be at the end thereof by the testator or by some other person in his presence, and by his express direction.

Witnesses.

It must be attested and subscribed in the presence of the testator by two or more competent witnesses who saw the testator subscribe or heard him acknowledge the same.

KENTUCKY.

Written Wills.

All persons twenty-one years of age and of sound mind may bequeath and devise all their property by last will and testament.

Execution

must be by writing, duly signed and attested.

Probate or Proof.

Wills are proved before and admitted to record by the county court of the county of testator's residence, or where the land lies, or where he is deceased.

Signature

must be by the testator himself, or by some other person in his presence, and by his direction.

Witnesses.

If the will is not wholly written by the testator the subscription or signature must be made, or the will acknowledged by him in the presence of two credible witnesses, who shall subscribe their names to the will in the presence of the testator.

LOUISIANA.

Wills and Testaments.

Execution, form, requisites, etc. Donations *intervivos* or *mortis causa*, cannot exceed two-thirds of the property of the disposer, if he leaves at his decease a legitimate child; one-half, if he leaves two children, and one-third, if he leaves three or a greater number. The name *children* includes descendants of whatever degree they be, it being understood that they are only counted for the child they represent.

Donations *inter vivos* or *mortis causa* cannot exceed two-thirds of the disposer's property, if the disposer, having no children, leaves a father, mother, or both.

Any disposal of property, whether *inter vivos* or *mortis causa*, exceeding the *quantum* of which a person may legally dispose to the prejudice of the forced heirs, is not null, but only reducible to that *quantum*.

In all dispositions *inter vivos* or *mortis causa*, impossible conditions, those which are contrary to the laws, or to morals, are con-

sidered not written. Substitutions and *fidei commissa* are and remain prohibited.

Every disposition by which the donee, the heir, or legatee is charged to preserve for, or to return a thing to a third person is null, even with regard to the donee, the instituted heir, or the legatee.

The disposition by which a third person is called to take the gift, the inheritance, or the legacy, in case the donee, the heir, or the legatee does not take it, shall not be considered a substitution, and shall be valid. The same shall be observed as to dispositions *inter vivos* and *mortis causa*, by which the usufruct is given to one, and the naked ownership to another.

Heirs.

Ascendants and decendants are called forced heirs, because they cannot be deprived of a certain portion of the estate of their ascendants or descendants. The portion of which they cannot be thus deprived is called their *legitime*, and that portion of his estate of which the testator may dispose is called the disposable portion.

Witnesses

The following persons are absolutely incapable of being witnesses to testaments:

1. Women of what age soever.
2. Males who have not attained the age of sixteen years complete.
3. Persons insane, deaf, dumb, or blind.
4. Persons whom the criminal laws declare incapable of exercising civil functions.
5. Persons who are constituted heirs or named legatees, under whatsoever title it may be. Mystic testaments are excepted from this provision.

MAINE.

Written Wills.

All persons must be of lawful age and of sound mind to execute a will.

Execution

must be in writing, duly signed and attested.

Signature

must be by the testator, or by some person in his presence, and by his express direction.

Witnesses.

It must be executed in the presence of three disinterested witnesses, whether executed in this or any other State or country.

Unwritten or Nuncupative Wills, etc.

Must be reduced to writing within six days, or cannot be proved after six months, and cannot dispose of more than one hundred dollars, with but three witnesses requested to be such.

MARYLAND.

Written Wills.

All persons must be, if male, twenty-one years of age; if female, eighteen years of age, and of sound and disposing mind, and capable of executing a valid deed or contract, in order to make a valid will.

Execution

must be in writing duly signed and attested.

Signature

must be by the testator, or by some person in his presence, and by his express direction.

Witnesses.

At least three witnesses must attest and subscribe such will in the presence of the testator.

Wills of personal property are valid without witnesses.

MASSACHUSETTS.

Written Wills

Every person of full age and sound mind may dispose of his or her real and personal estate by last will.

Execution

must be by writing, duly signed and attested.

A bequest to a subscribing witness, or to the husband or wife of such witness, unless there are three others, is void.

Probate or Proof.

A will made out of this State, which might be proved and allowed according to the laws of the State or country in which it was made, may be proved, allowed, and recorded in this State, and

have the same effect as though executed herein, according to the laws of this commonwealth.

Signature

must be by the testator himself, or by some person in his presence, and by his express direction.

Witnesses.

It must be attested and subscribed by three or more competent witnesses.

MICHIGAN.

Written Wills.

Every person of full age and sound mind may dispose of their property by will.

Execution.

No will (except it be nuncupative) is effectual to pass any estate, real or personal, except it be in writing, duly signed and attested.

A living person may probate his or her own will, which probate is secretly kept until after death.

Signature

must be by the testator, or by some person in his presence, and by his express direction.

Witnesses.

It must be attested and subscribed in the presence of the testator, by two or more competent witnesses.

Devisees and legatees are incompetent subscribing witnesses, unless there are two other witnesses who are competent.

Unwritten or Nuncupative Wills.

Nuncupative wills are valid to dispose of estate not exceeding three hundred dollars, when proved by two competent witnesses. Soldiers in actual military service, and mariners on shipboard, may dispose of their wages and personal estate by nuncupative will.

MINNESOTA.

Written Wills.

Every person of full age and sound mind may devise real and personal property by will.

Execution

must be in writing, duly signed and attested.

Probate or Proof.

When executed according to the laws of this State they may, in the first instance, be probated here. It is not settled that wills executed according to the laws of another State or country (materially varying in general requisites) can be lawfully proved and allowed here.

Signature

must be at the end thereof, by the testator himself, or by some person in his presence, and by his direction.

Witnesses.

It must be attested and subscribed in his presence by two or more competent witnesses.

Beneficiaries are not competent witnesses.

Unwritten or Nuncupative Wills.

Soldiers in actual military service or mariners while at sea may execute nuncupative wills.

MISSISSIPPI.

Written Wills.

Any person twenty-one years of age, and of sound mind, may make a last will.

Execution

must be in writing, duly signed and attested (except for nuncupative wills).

Probate or Proof.

They must be proven in the chancery court of the proper county, and there recorded.

Signature

must be by the testator, or some person in his presence, and by his express direction.

Witnesses.

Two witnesses are necessary when lands are devised, and two also are necessary when personality is bequeathed.

If the will be wholly written and signed by the testator no witnesses are required.

MISSOURI.

Written Wills.

All males over twenty-one years of age, and of sound mind, may devise real property.

Persons over the age of eighteen years may bequeath personality, and females may bequeath realty also.

Courtesy or Dower

cannot be effected by will unless accepted by non-rejection of the provisions of the will in that respect, etc.

Execution

must be by writing, duly signed and attested. Wills of non-residents must be executed according to the laws of this State to be effectual here.

Signature

must be by the testator.

Witnesses.

It must be attested at the testator's request by two witnesses.

MONTANA.

Written Wills.

Persons over eighteen and of sound mind may dispose of their property, real and personal, by last will.

Execution

must be in writing, duly signed and attested.

Signature

must be at the end thereof, by the testator, or by some person in his presence, and by his express direction.

Witnesses.

It must be attested and subscribed in his presence by two or more competent witnesses.

Unwritten or Nuncupative Wills.

May be made by a soldier in active service, or by a mariner at sea.

NEBRASKA.

Written Wills.

Persons of full age and sound mind may devise by last will.

Execution

must be in writing, duly signed and attested.

Probate or Proof.

All wills, duly proved and allowed in any of the United States,

or any foreign country, according to the laws thereof, may be admitted to probate here.

Signature

must be by the testator, or by some one in his presence, and by his express direction.

Witnesses.

It must be attested and subscribed in the testator's presence by two or more competent witnesses.

Unwritten or Nuncupative Wills

are allowed, but under stringent statutory regulations.

NEVADA.

Written Wills.

Every person over eighteen years of age, and of sound mind, may dispose of his or her property by will, subject to the payments of debts.

Execution

must be in writing (except nuncupative), duly signed and attested.

Married Women

require the consent of their husbands annexed to the will.

Signature and Seal

must be by the testator or some other person in his presence, and by his discrection.

Witnesses.

It must be attested by two competent witnesses in the presence of the testator.

Unwritten or Nuncupative Wills.

No nuncupative will is valid where the estate exceeds one thousand dollars in value, nor unless proved by two witnesses within three months after the testamentary words were spoken.

NEW HAMPSHIRE.

Written Wills.

Persons of the age of twenty-one years, of sound mind, may execute a will.

Execution

must be in writing, duly signed and attested.

Signature and Seal

must be by the testator, or by some person in his presence, and by his express direction.

Witnesses.

It must be attested and subscribed in the testator's presence by three or more credible witnesses.

Legatees ought not to be witnesses.

Unwritten or Nuncupative Wills.

Nuncupative wills of personal estate not exceeding one hundred dollars in value are valid only when declared in the presence of three witnesses who were requested by the testator to bear witness thereto, in his last sickness, and at his usual dwelling, excepting when taken sick from home and dies before his return.

A memorandum of such will must be reduced to writing within six days, and presented for probate within six months.

NEW JERSEY.

Written Wills.

Any person not within the age of twenty-one years, and not an idiot, lunatic, or person of non-sane memory, may make a valid will.

Execution

must be in writing, duly signed, sealed, and attested.

Foreign wills must be executed according to the laws of this State.

Signature and Seal

must be by the testator's own hand (by a mark at least), and acknowledged by him.

Witnesses.

Such signature and writing, etc., must be declared to be his last will in the presence of two witnesses present at the same time, who will subscribe their names thereto, in the presence of the testator, as witnesses.

Devisees or legatees acting as witnesses render their legacies or devises void thereby.

NEW MEXICO.

Written Wills.

Persons of either sex may make a valid will, excepting only: 1. Males under fourteen years of age and females under twelve.

2. Insane persons and persons of unsound mind, during that condition. 3. Prodigals prohibited the administration of their estate by a court of competent jurisdiction. 4. Deaf and dumb by birth, unless they can write such wills themselves.

Execution.

Written wills are irrevocable, except by specially mentioning it in a subsequent will, and either setting it out in full or by stating that the maker would have stated it verbatim could he have remembered it, and declaring that he thereby revokes the same.

Probate or Proof.

Probate judges have power to qualify and approve wills, after hearing the evidence of the attesting witnesses, etc.

Signature

must be by the testator ; or, if he is unable to write, he may request some reliable person to sign for him.

Witnesses.

Three or more able and qualified witnesses, competent in a court of law, are necessary.

Written or Nuncupative Wills.

Verbal wills must be proved by five witnesses, two of whom must swear that the testator was, at the time of his making his will, in possession of a sound mind and entire judgment. The witnesses must all be present, see, and hear the testator speak, and each and every one of them must understand clearly and distinctly every part of the will.

NEW YORK.

Written Wills.

All persons of full age and sound mind may execute a valid will. Males can bequeath personal property at eighteen ; females at sixteen.

Execution.

In writing, duly signed and attested. No bequest to a charitable or religious corporation by one leaving a husband, wife, child or parent, is valid to the extent of more than one-half the clear estate, nor to the extent of more than one-quarter the clear estate, unless made at least two months before death.

Signature and Witnesses.

It must be subscribed at the end thereof, and must be subscribed by the testator in the presence of at least two competent witnesses; or it must be acknowledged to each of such attesting witnesses, or to such of them as were not present at the making of such subscription, by the testator to have been so made.

The testator, at the time of making such subscription, or at the time of acknowledging the same, or both, if subscribed in the presence of one and acknowledged after subscription to the other, must declare in the presence of each witness that the instrument is his will.

Each of the two attesting witnesses must sign his name as a witness at the end of the will, at the request of the testator. (The residence of the witnesses should be added.)

NORTH CAROLINA.

Written Wills.

All persons of full age and sound mind may execute a valid will.

Execution

must be in writing, duly signed and attested. Wills made out of this State conveying real property therein, must be executed according to the laws of this State.

Olograph

wills may be made, but must be written altogether by the testator's own hand and signed by him.

Signature

must be by the testator.

Witnesses.

Two or more subscribing witnesses thereto are necessary.

Unwritten or Nuncupative Wills.

Nuncupative wills may be made during the testator's last sickness, in his own habitation, or where he had been previously resident for at least ten days, unless he died on a journey or from home. They must be made in the presence of at least two credible witnesses, who must state that they were especially required to bear witness thereto. The estate disposed of cannot lawfully exceed two hundred dollars in value.

It cannot be proved after six months from the making, unless it was put in writing within ten days from making, nor until notice

has been given to the widow and next of kin to contest it if they think proper.

OHIO.

Written Wills.

Any person of full age and sound mind and memory may execute a valid will.

Execution

must be in writing, duly signed and sealed. As against children and their legal representatives all bequests to any benevolent, religious, educational, or charitable purpose are void, unless the will be executed one year before the decease of the testator.

Probate or Proof.

If no person interested shall, within two years after probate, appear and contest the will, the probate is forever binding, saving against the rights of infants, married women, persons absent from the State, etc.

Signature

must be at the end thereof by the testator, or by some other person in his presence and by his express direction.

Witnesses.

It must be attested and subscribed in the presence of the testator by two or more competent witnesses, who saw the testator subscribe, or heard him acknowledge the same.

Unwritten or Nuncupative Wills

may be made in the last sickness, and are valid as to personal property if reduced to writing and subscribed by two competent, disinterested witnesses, within ten days after the speaking of the testamentary words.

OREGON.

Written Wills.

Every person twenty-one years of age and upwards, of sound mind, may execute a will devising all his estate.

Every person of the age of eighteen years may dispose of all his personal property by will.

Execution

must be in writing, duly signed and attested.

Married Women

may execute a valid will subject to the husband's right as a tenant by the courtesy.

Probate or Proof.

Copies of the will, when duly executed, and the probate thereof, may be recorded in the same manner as wills executed and proven in this State, and will be admitted in evidence in the same manner and with like effect.

Signature

must be by the testator, or by some other person in his presence and under his express direction, and such person signing the testator's name must subscribe his own name as a witness, and state that he subscribed the testator's name at his request.

Witnesses.

It must be attested by two or more competent witnesses subscribing their names to the will in the presence of the testator.

PENNSYLVANIA.

Written Wills.

Every will must be in writing, unless the person making the same is prevented by the extremity of his last sickness.

Must be of sound mind, and over twenty-one years of age.

Execution

must be at least one calendar month before the death of the testator, for charitable purposes.

Heirs, etc.

The testator's whole estate in the premises devised passes without words of inheritance, unless it appear from the will that he intended to pass a less estate.

Realty

acquired after the execution of the will passes with a general devise unless a contrary intention appears upon the face of the will.

Signature

must be by the testator, or by some person in his presence, and by his express direction, at the end thereof. A mark is a good signature.

Witnesses.

In all cases two or more competent witnesses are necessary, otherwise the will has no effect.

Unwritten or Nuncupative Wills.

Unwritten or nuncupative wills, disposing of personal property, may be made by persons during their last sickness, at their own dwelling, or while travelling and before reaching home, and by marines at sea, and soldiers in actual military service.

Proof must be by two witnesses, that the person desired those present to bear witness that such was his will.

RHODE ISLAND.

Written Wills.

Every person of twenty-one years of age and of sound mind, may dispose of all their property by will.

Every person eighteen years of age and upward may bequeath all their personal property by will.

Execution

must be in writing, duly signed and attested.

Married Woman

cannot impair the rights of her husband upon her death as tenant by the courtesy.

Signature

must be by the testator, or by some person in his presence and by his express direction.

Witnesses.

It must be attested and subscribed in the presence of the testator by two or more witnesses, or it will be utterly void and of no effect.

SOUTH CAROLINA.

Written Wills.

All persons of lawful age and of sound mind may execute a valid will.

Execution

must be in writing duly signed and attested.

Signature

must be by the testator.

Witness.

It must be attested and subscribed by three or more witnesses.

TENNESSEE.

Written Wills.

Every person of full age and of sound mind may execute a valid will.

Execution

must be in writing, duly signed and attested. It may be entirely written and signed by the testator, but his handwriting must be proved by at least three credible witnesses.

Married Woman

of age, may dispose of any estate in lands or personalty, by will in writing, subscribed by herself, or by some other person in her presence and by her direction, and the subscription must be made, and the will acknowledged by her, in the presence of at least two witnesses subscribing the will with their names, in the presence of the testatrix.

Probate or Proof.

Wills executed in other States, Territories, or the District of Columbia, must be proved according to the laws of this State.

Signature

must be by the testator, or some other person, in his presence and by his direction.

Witnesses.

It must be attested and subscribed in the testator's presence by at least two witnesses, neither of whom must be interested in the devise of the testator's lands. None necessary to wills of personalty.

Unwritten or Nuncupative Wills.

Nuncupative wills, disposing of estate not exceeding in value two hundred and fifty dollars, may be made during last sickness, in the testator's own habitation, or where he has been previously residing ten days at least, except he be surprised by sickness on a journey to or from home, and dies without returning.

Such will cannot be proved after six months from its making unless it were put in writing within ten days after the testamentary words were uttered, and not until the widow or next of kin are called to contest the same.

TEXAS.

Written Wills.

All persons twenty-one years of age and upward and of sound mind, may dispose of all their property, real and personal, by last will and testament.

Execution

must be in writing, duly signed and attested.

Probate or Proof

may be by the testimony of one of the subscribing witnesses, or if none be living, are of unsound mind, or absent from the State, then the testimony of two witnesses to the handwriting of the subscribing witnesses, and of the testator, or that he was unable to write. If the will is in the handwriting of the testator, then the testimony of two witnesses is necessary to it.

If the will be of a person not resident of the State at the time of his death, and has been regularly probated according to the laws of any other State, Territory, or country, then a copy of such will and probate, attested by the clerk of the court in which the same was admitted to probate, under the seal thereof, if there be a seal, together with that of the judge, chief justice, or magistrate of the court in which the will was probated, that such attestation is in due form, is sufficient here.

Signature

must be by the testator.

Witnesses.

Two or more must attest and subscribe their names thereto.

Unwritten or Nuncupative Wills.

Nuncupative wills may be made during a person's last sickness, at one's own habitation, or where they may reside for ten days preceding death, or where they sicken or die from home. One witness must take notice and bear testimony that such was the person's will, or words of like import. Cannot devise realty.

After six months from the time of speaking the testamentary words no testimony to prove such a will can be admitted, unless the same or the substance thereof was committed to writing within six days after the same was spoken by the deceased.

VERMONT.

Written Wills.

All persons of full age and sound mind may execute a valid will.

Execution

must be in writing, duly signed and attested.

Probate or Proof

must be made in the probate court. A will made out of the State and approved or allowed according to the laws of the State or country where made, may be proved, allowed and recorded in this State, and thereupon have the same force and effect as though made here.

Signature and Witnesses.

It must be signed by the testator in the presence of three witnesses, who must sign as such in the presence of the testator and of each other.

VIRGINIA.

Written Wills.

Every person of twenty-one years of age and of sound mind may make a valid will of realty and personalty.

Persons eighteen years of age may make wills of personalty.

Execution

must be by writing, duly signed and attested.

Married Women

may dispose of their separate estate by will.

Probate or Proof.

When a will affecting property within this State is proved without the same, an authenticated copy thereof, and certificates of probate thereof, entitle it to probate here, in the probate court.

Signature

must be by the testator, or some other person in his presence, and by his direction.

Witnesses.

Unless wholly written by the testator, the signature must be made or the will acknowledged by the testator in the presence of at least two competent witnesses, present at the same time; and such witnesses must subscribe the will in the presence of the testator.

WASHINGTON.

Written Wills.

Every male person twenty-one years of age, and female person eighteen years of age, may execute a valid will, devising real and personal property, or either.

Execution

must be by writing, duly signed and attested.

Signature

must be by the testator, or some person in his presence, and by his direction.

Witnesses.

Two or more must attest and subscribe the same in the presence of the testator.

WEST VIRGINIA.

Written Wills.

Every person of twenty-one years of age and upwards, being of sound mind, may dispose of any estate, real or personal, by last will.

Execution

must be in writing, duly signed and attested.

Signature

must be by the testator, or some other person in his presence, and by his direction, in such manner as to make it manifest that the name is intended as a signature.

Witnesses.

Unless the will is wholly written by the testator the signature must be made or the will acknowledged by the testator in the presence of at least two competent witnesses, present at the same time; and such witnesses must subscribe their names to the will in the presence of the testator.

WISCONSIN.

Written Wills.

Every person of full age and sound mind may execute a valid will.

Execution

must be by writing, duly signed and attested.

Probate or Proof.

No will is effectual to pass real estate unless approved and allowed in the county court. The copy of a foreign will, duly executed and probate thereof duly authenticated, may be proved, allowed, and recorded by the county court where the estate affected is situated.

Signature

must be by the testator, or some other person in his presence, and by his express direction.

Witnesses.

It must be attested and subscribed in the presence of the testator by two or more competent witnesses.

CANADA.

PROVINCE OF ONTARIO.

Written Wills and Testaments.

Every person of full age and sound mind may execute a valid will.

Execution

must be in writing, duly signed and attested.

Signature

must be by the testator, or some other person in his presence and by his direction, in the presence of two witnesses, both being present at the same time.

PROVINCE OF QUEBEC.

Written Wills.

All persons twenty-one years of age, and of sound intellect, may make a last will.

Execution.

Wills are of three kinds :

1. The authentic (or French) will, made before two notaries, or a notary and two witnesses.

2. The English will, made in the presence of two witnesses.

3. The olographic will, which must be entirely written and signed by the testator, and requires neither notaries nor witnesses.

Probate or Proof.

The English and the olographic wills must be probated.

Signature.

The English will must be signed at the end thereof, with the signature or mark of the testator, made by himself, or by another person for him, in his presence, and under his express direction.

Witnesses.

The signature must be acknowledged by the testator, as having been subscribed by him to his will then produced, in the presence of at least two competent witnesses together, who must attest and sign the will immediately, in the presence of the testator, and at his request.

Females may attest as witnesses in the *English* will, but not in the *French.*

PHYSIOLOGICAL AND MORAL ASPECT OF HYPNOTISM.

(*Conclusion.*)

III. IS HYPNOTISM ALWAYS UNLAWFUL?

IN our last paper we represented hypnotism, stripped of useless or dangerous appendages, as closely resembling well defined neuroses, but claiming the virtue to allay human sufferings and great healing powers. It has been strangely abused by strolling showmen like Hansen and Donato, by occultists like Faria and Papus, even by well meaning and over-trustful physicians like Luys; but it has also been put to successful use by experienced practitioners, such as Charcot of Paris, Bernheim of Nancy, Björnström of Stockholm, and Obersteiner of Vienna.

In view of these facts it becomes a serious question whether, and how far hypnotism is a lawful practice. Some grave theologians, like Mgr. Sancha Hervas, Archbishop of Madrid,[1] the writers of the *Civiltà*,[2] F. Palmieri[3] and others, have condemned hypnotism absolutely, chiefly on account of abuses which they deemed inseparable from it; but other standard authorities, like Trotin, Bonal, C. S. S.,[4] Lemhkuhl,[5] Sabetti,[6] Elie Méric[7] of the Sorbonne, and J. P. F. Schneider,[8] Director of St. Sigebert School, have expressed a different opinion. The Abbé Méric, Doctor of Divinity, studied the question both theologically and practically; he assisted at the experiments of Charcot and of Bernheim; the Abbé Schneider followed the clinic of Bernheim and wrote his work as a thesis for the doctorship, and though he died before revising it, this task was carefully performed by Professor Egger of the Paris University. Considering that these

1 Elie Méric, "Le Merveilleux et la Science," Conclusion, pp. 449-460.
2 *Civiltá Cattolica*, "l'ipnotismo tornato in moda," vol. 3-4, Ser. 13.
3 "Antonii Ballerini," etc., vol. 2, p. 250, num. 100-107.
4 For Trotin and Bonal, see Méric op. cit. pp. 448-9.
5 "Theologia Moralis," vol. 1, note p. 619.
6 "Theologia" Ed. 7, 1892, p. 149, num 209.
7 "Opere citato," p. 446, n. 4.
8 L'hypnotisme, p. 378, Conclusion, 6.

writers had uncommon opportunities for arriving at a correct judgment, their opinion deserves the highest consideration.[1]

Already in 1890,[2] the editor of the AMERICAN ECCLESIASTICAL REVIEW had arrived at the following conclusion: "Hypnotism, whilst we may not safely recommend or practise it, may not be condemned as *diablerie* simply because it is not traceable to known causes." In other words, it may not be universally condemned as evil in itself, although it is unquestionably dangerous. These two propositions shall be treated separately.

If hypnotism is to be considered as absolutely prohibited, it must be because it is contrary *in toto* to the laws of Church or State; or else because it can be proved to be immoral in its very nature; or lastly because the dangers attending its applications are, in all cases, unavoidable, and of such a magnitude that the good obtained or to be obtained cannot offset the evils which are supposed to be its necessary consequences. Let us see first whether hypnotism has been universally condemned either by the Church or by the State; then whether it is immoral *in se:* its consequences will be best appreciated when we consider the dangers attending its practice. It is hardly necessary for us to emphasize that we do not pretend to justify the indiscriminate use of hypnotism; much less, countenance occultism, spiritism and similar *isms* which have been grafted upon it by charlatans of every description. Our contention is best expressed in the words of Schneider:

"The practice of hypnotism is not, in our opinion, unlawful, when it seems to be[3] *the only* or the *best means* to cure a

1 Villada ("Casus Conscientiæ," vol. 3, p. 298) held once that hypnotism was lawful, later he modified his opinion on account of the superstitions and excesses of some hypnotizers, whose performances are censured by their wiser brethren. On similar grounds, astronomy might be rejected on account of astrologers, and arithmetic, because many superstitious persons try to guess the future by means of cabalistic groupings of numbers.

2 A. E R., vol. III, October, 1890. P. 257. See also: *The moral limit in the use of anæsthetics*, September, 1890, p. 198, and *The Morality of Hypnotism as a therapeutic agent.* Dec. 1894, p. 461.

3 Italics ours.

dangerous disease; when all the necessary precautions are taken, and when both the intentions and the means are unimpeachable." (L'hypnotisme p. 378, N. 6.)

There have been theologians who have urged upon the tribunals of the Church the necessity of an unrestricted condemnation; the cases submitted to her decision were involved in superstitious or immoral adjuncts well calculated to bring about such a result;[1] yet, more prudent than the French Academy, she has with equal care avoided the pitfalls of absolute skepticism and indiscriminate proscription. In 1840, the question proposed to the Inquisition was as follows: "Is magnetism, as commonly understood, to be considered as lawful, or as unlawful?" The answer was: "Consult the standard authors, and bear this in mind, that, when every false doctrine is rejected, as well as every kind of witchcraft, and any explicit or implicit invocation of the devil is repudiated, *the mere act of using physical means, otherwise lawful, is not morally wrong*;[2] provided that it be not made subservient to an end unlawful or in some way evil. But the use of causes and means purely physical to obtain effects or results truly supernatural, in order to explain these effects physically, is nothing but a deception, both unlawful and heretical." In 1841, the Bishop of Lausanne, judging that a more definite answer was needed, sent to Rome a postulation in which clairvoyance, divination, sense-transference, and other phenomena equally wonderful, are mentioned as connected with magnetism; he asked whether all these facts were truly natural. The answer of the Pœnitentiaria[3] was: "The use of magnetism, as represented in the case, is not lawful." Another question of the same import had already received a similar answer a few months before.[4] Even after these declarations, stating as they did,

1 See in Palmieri, the postulation of the Bishop of Lausanne, vol. 2, p. 251.

2 Italics ours.—We understand *otherwise lawful* to mean, which would be considered lawful, were it not that they are used as magnetic practices.

3 S. P. Resp. July 1, 1841.

4 Apr. 21, 1841.

that magnetism confined to natural phenomena was not unlawful, but that the cases submitted were certainly unlawful, many persons continued to entertain doubts, and to distort the answers of the Roman Congregation. To put an end to misunderstandings, the Congregation of the Inquisition, which is presided over by the Sovereign Pontiff himself, issued the following document which bears the date of June 30, 1856, and is addressed to the entire hierarchy of the Catholic world as the following superscription shows: "Encyclical Letter to all the Bishops, against the *abuses* of Magnetism."

In transcribing the heading, we have emphasized the word *abuses*, because it is the keynote of the whole document. After the usual preamble, it contains the following words: "It has been made evident, that a new kind of superstition has sprung from magnetic phenomena which have been used by novelty seekers, not for the advancement of physical science, as should have been done, but to deceive and seduce other men; these deceivers believe that by the means of magnetism or of magic, they can find out hidden, distant or future things, chiefly with the help of weak women (muliercularum) who depend only on the will of the magnetizer.

"On this subject, the Holy See has already given some answers in particular cases, by which are condemned as illicit all those experiments which have not for their purpose a natural and honorable end to be obtained by lawful means; against such experiments is directed the decree of April 21, 1841: *The use of magnetism, as it is described, is not lawful.* Thus also, books which maliciously disseminated errors like those above mentioned, have been prohibited by the Sacred Congregation. But whereas, it had become necessary to pass judgment not on particular cases only, but on the practice of magnetism in general, therefore, by way of rule, this decree was issued July 28, 1847: *Provided* that every false doctrine, every kind of witchcraft, every invocation of the devil, explicit or implicit, be rejected, the mere act of using physical means otherwise lawful, is not morally wrong," etc., the

decree which we have already quoted is then repeated word for word.

The next paragraph begins as follows: "Although this general decree points out clearly enough what is lawful and what is unlawful in the use and abuse of magnetism, yet the malice of men has gone so far that they neglect the lawful study of science, and rather seek occult things to the ruin of souls and to the detriment of civil society itself; boasting, as they do, that they have found a new way to magic and divination." In the next place the Sacred Congregation condemns in express terms the illusions of somnambulistic clairvoyance, magnetic passes of a dubious moral character, the pretended perception of things naturally unknowable, the discovery of new religious tenets, the evocation of and intercourse with the departed, and all other kinds of superstition, which are practiced for the sake of lucre. "In all these performances," says the decree, "by whatever craft or hallucination they may be accomplished, since physical means are used to obtain preternatural effects, there is an unlawful and heretical deception, and a scandal opposed to honesty and morality." In the concluding paragraph, the Bishops are invited to use their utmost vigilance and activity to protect the faithful against the dangers which come from the *abuses* of magnetism, and to preserve in its purity the deposit of faith. (Acta S. Sedis, vol. i, p. 177.)

It is clear that this decree does not condemn magnetism absolutely; it asserts, on the contrary, that magnetism has its legitimate sphere, but that it is liable to great and dangerous abuses. The practices which it declares criminal are considered equally so by such men as Bernheim; with regard to the pretended wonders of charlatans, the latter expresses his judgment as follows: "Wonders, such as clairvoyance, foreseeing future events, view of the interior of the body, perception of far distant objects through intervening opaque bodies, making one sense do the work of another, intuitive knowledge of remedies, is it necessary to state that I have seen nothing of the kind?"[1]

1 Quoted by Abbé Schneider, p. 104.

But it is said that some civil governments have been obliged wholly to proscribe hypnotism. This assertion is not strictly correct. Austria, Russia, Italy, Germany and Belgium have prohibited public exhibitions, because experience had proved them to be extremely dangerous, both to public health and to morality; hence the civil authorities have wisely restricted the practice of hypnotism to competent doctors. In France also, restrictive regulations have been adopted, and the tribunals have punished severely the pretended hypnotizers who had caused accidents, just as they punish the quacks who attempt to practice medicine without a diploma. As an example of this kind of legislation let us give a summary of the text of the Belgian statutes, as proposed by the Royal Academy of Medicine and adopted by the parliamentary committee.[1]

Art. 1. Whosoever shall have exhibited publicly a person hypnotized by himself or by others, shall be punished with a fine of not less than 26 and not more than 1,000 francs.

Art. 2. Any one not qualified to practice medicine, who shall have hypnotized a minor under eighteen, or a weak-minded person, shall be punished with imprisonment not exceeding one year, and with a fine of not less than 26 and not more than 1,000 francs; even though he may not have publicly exhibited the hypnotized person.

Art. 3. Subject to punishment of incarceration is any one who with fraudulent or malicious purpose has caused a person under the influence of hypnosis to sign a contract, quittance or declaration. And the same penalty shall be applied to any one who shall have made use of such an act or document.

Such is the Belgian law, snd those enacted in other countries have substantially the same import. Law permits the use, but punishes the abuse of hypnotism.

Nor can it be maintained that hypnotism is essentially or in itself a moral wrong. It could be so only for one of three reasons. First, because the subject may be considered as resigning the exercise of his free will; or secondly, because

1 The text, preceded by the report of the commission, will be found in the *Revue de l'Hypnotisme*, October, 1891 (6th year), n. 4, p. 123.

the *abuse* of hypnotism is inseparably connected with its *use;* or thirdly, because it may appear that natural means are used to obtain or explain away supernatural phenomena.

To the first of these reasons I would answer that it cannot be said with any degree of certainty that the subject resigns the use of his free will, for cases of invincible resistance are by no means unusual ; nay, a very respectable school of hypnotizers holds that when moral compulsion is attempted, the revulsion of feelings brings about convulsions, lethargy, or catalepsy, which baffle the hypnotizer. But even admitting, that sometimes man becomes a mere automaton, is not the man who places himself under the influence of anæsthetics, subject to the same condition? Yet no moralist now-a-days would condemn absolutely the use of chloroform. Nevertheless there is a difference, perhaps not sufficiently insisted upon, on the whole. In anæsthesia man surrenders to the care of the physician a mere passive instrument, in hypnosis the subject retains a sort of automatic activity which may be abused by the hypnotizer. Is this difference sufficient to condemn hypnosis as immoral, whilst the sleep induced by morphia is declared innocent? There seems to be no adequate reason for such a divergence of verdicts. But, if you deem it necessary, let us surround the activity of somnambulism with more safeguards than the passivity of anæsthesia. Require special tests, special diplomas from the operator, have more witnesses present to prevent any unwise or improper suggestion. Do all this, and the activity of the patient will be in safer keeping than if he had not, for a moment, lost the control of it.

The answer just given may be considered to dispose of the second objection. The rules adopted by Bernheim, emphasized by Forel, and accepted by the profession at large, do away with any reasonable fear of abuse on the part of the physician. We shall have occasion to refer to those rules when mentioning the particular applications of hypnotism. In the meantime there are some which apply to all cases, *ex. gr.*

Never hypnotize any subject without his formal consent,

or the consent of those who have authority over him. Never induce sleep, except in the presence of a third person in authority. Never give to the hypnotized subject any other suggestions than those necessary for his cure.[1]

In regard to the third reason alleged for the essential immorality of hypnotism, let us first of all emphatically state our belief that no person may lawfully intrust, even *for one moment*, his liberty to an occultist or a spiritualist. It is safe, however, to say that there are very few regularly trained physicians who deal in such nefarious practices as those of occultism or spiritism. The great danger in the case of a physician is that he may be inclined to pay so much attention to that wonderful physical organism with which he deals, that he forgets spiritual organism, considering the soul as a mere *psyche*, or principle of material life. The real motives which cause many persons to condemn every kind of hypnotism without exception, are first, because they undervalue the potency of the imagination, that sort of mixed power which serves as a connecting link between sense perceptions and ideas; secondly, because they are deceived by the wonderful exploits of strolling magnetizers or hypnotizers. With the class of men just mentioned nobody should hold professional intercourse, unless it be to expose them. But, that we commonly undervalue the power of imagination, is a fact well known to all those who have observed the phenomena of the spiritual order. The words of Benedict XIV which we have quoted above, plainly intimate that there are facts of an extraordinary kind, which, nevertheless, belong to the natural order, and which owe their existence to the power of the imagination. The general law is, perhaps, best expressed in the words of Bernheim, explained and supplemented by those of St. Thomas. M. Bernheim insists on this truth that: "Every thought has a tendency to become a fact." Long before Bernheim St. Thomas had fully grasped this principle, and saw its consequences. "The matter of the body," he says, "obeys the concept of the mind; for the body of man is affected by the mental concept

1 Condensed from Berheim, *Suggestive Therapeutics*, p. 461.

of heat and cold, and sometimes to the extent of causing health or disease." (Summa Theol., p. 1, 9, 110, obj. 1.) These words are used as an objection against his proposition that pure spirits do not act at will on material substances; to which he makes answer as follows: "We answer by saying that the soul is the form (life principle) of the body, hence we need not wonder if the concepts of the mind affect the body; the more so because the activity of the sensitive appetite, which requires some bodily changes, is subject to the control of reason." This is more fully explained in the third part of the Summa (13th question, 3d article), where he treats of the power of the soul of Christ over His body. We quote the words in full:

"To the third objection we reply that imagination, when strong, rules the body with regard to many things; hence occurs the fall of a person stepping along an elevated beam, for the imagination is destined by its very nature to be the principle of physical motion. (Here St. Thomas refers to Aristotle.) It is the same thing with regard to changes depending on heat and cold, and other alterations which are the consequences of these variations. The reason is that passions are bound by nature to follow the impulse of imagination, passions themselves govern the motions of the heart, and thus by the activity of animal spirits the whole body is modified. But there are other bodily conditions which are not necessarily dependent on imagination, and cannot be transformed by the imaginative power, how strong soever it may be, for instance, the shape of the hand or foot, or other things of the same kind."

Mediavilla, Gerson, Cajetan, and other schoolmen say substantially the same as St. Thomas and Pope Benedict XIV, and they teach us not to assign *imaginary* limits to the power of imagination.[1]

We have granted that hypnotism was dangerous, extremely dangerous;[2] but Prof. Mill of the Pennsylvania University, who most kindly put his notes at our disposal, thinks that in the hands of a skillful and experienced physician, it becomes

1 See on this subject the articles of Eug. Portalie in *Les Etudes*, 1892, pp. 481–577, to many it will be a revelation.

2 See Björnström's *Hypnotism*, c. xii.

quite harmless; no doubt, in this case (and there should be no other case) the danger is reduced to a minimum, and the positive benefits far exceed the possible inconveniences. But Forel goes too far when he says:[1]

"Liebault, Bernheim, Wetterstrand, Van Eden, Van Renterghen, de Jung, Moll, myself and the other pupils of the school of Nancy, we declare categorically that we, resting on an experience which covers the cases of many thousand persons, have never observed a single case of real and lasting injury to the mental or bodily health resulting from hypnosis. On the contrary we have observed many cures and improvements among the sick treated by us. Either we are all terrible liars, or the alleged injuries resulting from hypnosis result, as we claim, partly from bad methods, partly from the simplicity of untrained operators, partly from suspicious experiments, but most of all from misinterpretations and exaggerations."

Nobody suspects for a moment the veracity of Prof. Forel, but even a scientific man may be carried away by his enthusiasm. If hypnotism is so harmless, why do we find in the books of Moll and Bernheim a special chapter to warn us against its dangers? Very recently (Sept. 29, 1894,) a fatal case was recorded in the *London Lancet.* Let us hear on this point Prof. Wundt who did not only try the experiments on others, but had them performed on his own person. "I cannot understand," he says,[2] "how in the face of these observations, one can look upon hypnotizing as a perfectly harmless operation. It is perfectly clear that by it the will-power to resist is weakened to a considerable extent. The subjects are brought with the greatest ease to consider as matters of course acts against which they would certainly protest in the normal state. They are made to perform and to look upon as proper, actions against which in the wakeful state, moral instinct would rise in arms. . . . . In truth it is not only a purely scientific interest that has caused this longing for hypnotic experiments, but also a longing for occultism.

1 Forel, *Der Hypnotismus*, p. 103.

2 Wundt, *Hypnotismus und Suggestion*, Leipzig, Engelman, 1892.

. . . . Even in the moderate admirers of hypnotism who reject such superstitious aberrations, this occult influence of a silent stream is distinctly felt . . . . . chiefly in the acceptance of fanciful hypotheses, which on closer examination prove themselves to be disguised repetitions of well-known superstitious fancies." The final conclusion at which Dr. Wundt arrives is, that hypnotism should be used with the greatest caution, and never as an amusement for so-called scientific experiments, but only for therapeutic purposes. Obersteiner, and all the conservative physicians agree with him in this respect; and Dr. C. K. Mill of Philadelphia, referring to an article of Dr. Crichton Browne in the *British Medical Journal*, August 27, 1881, endorses the following rule which ought to be added to those already mentioned: "We are also in accord with him (Dr. Browne) in the conviction that hypnotism ought never be resorted to for amusement."

If we exclude the accidents caused by "irresponsible dilettanti," as untrained hypnotizers are called by Prof. Wundt, and the neurotic plagues caused by strolling hypnotizers, it will be very easy to mention one hundred cures for each accident occurring in legitimate practice. As far as can be ascertained, in the absence of accurate statistics, suggestive therapeutics in the hands of a skillful doctor is far more beneficial than harmful, and it is sometimes the only available resource. Under such circumstances, can a priest advise it? We do not think so, he must leave this to the physician. As there are dangers of many kinds connected with hypnotism, and as he is not competent to judge how far the probable advantages offset the perils, it is the wiser course for him to abstain from assuming any responsibility. But, with Villada, who, after fairly stating the arguments on both sides, concludes *theoretically* against hypnotism, but *practically* in favor of liberty, we think that a priest should not refuse absolution to a penitent who insists on seeking in hypnotism a cure which other remedies have failed to effect.

A few more words about the applications of hypnotism, and we have done.

IV. APPLICATIONS OF HYPNOTISM.

Before briefly reviewing some applications of hypnosis for the purpose of ascertaining *quid liceat quid non*, we beg leave to state that there is no sort of deception more easily practised, even on scientists and physicians, than that of mediumship. Mediums go through a regular training, which must be very hard indeed, but the possession of which is very lucrative. London and Paris are full of such people. They will engage to play the catalepsy trick, or somnambulism, or any other trick of the kind, at a regular rate, or they will dupe a hypnotizer just for the fun of it. Volumes could be filled with the exploits of these worthies. Some of their triumphs are told in a charming style by Dr. Ernest Hart, in a number of the *Nineteenth Century Review*. The publication of these papers in a pamphlet form would do much good in proving to what an extent men will allow themselves to be imposed upon. Yet all is not humbug. Dr. Obersteiner says: "In a threefold direction, hypnotism can become useful as a therapeutic agent—1, through simple hypnosis; 2, through analgesis; 3, through suggestion."

That hypnotism can succeed in curing insomnia is not to be doubted. In a case that we have witnessed it quieted the nerves of a woman who would, according to all probabilities, have died in violent paroxysms, without being able to make her peace with God. She was set asleep by hypnotic methods, continued to sleep for eight hours, according to the suggestion given, and was perfectly sane when she awoke. Her life could not be long preserved, for she was old and very feeble, but she had ample time to prepare for death, and availed herself of all the consolations of religion.

"Hypnosis," says Dr. Obersteiner, "may produce a quieting influence. . . . . It is not seldom that natural sleep, succeeding hypnosis, is much longer and quieter. . . . . People of unsound mind are, as a rule, hard to hypnotize; still, I have succeeded several times in quieting persons much disturbed in mind, and inducing a gentle sleep."

Anæsthesis can be obtained by hypnosis. Not only have

very trying operations been performed without the patient experiencing the least suffering, but women have been delivered without pain, when complications would have rendered parturition exceptionally distressing. Many cases of the kind are reported in the *Revue d' Hypnotisme.*[1] Yet ordinary anæsthetics have great advantages over hypnosis, inasmuch as it is not effective against suffering in every case. Moreover, the effects of the drugs are well known, and the doses can be exactly measured ; it is also known that they will affect this or that organ exclusively. In this sense they are *elective*, that is to say, they may be chosen with a sort of inerrancy. For such reasons they are to be generally preferred. But if they fail, or for some reason are not available, then hypnosis may become the means of saving life by moderating or suspending suffering. In combination with suggestion, it may modify favorably and sometimes cure neurosis, but its influence on epilepsy seems to be very limited.

Some doctors who consider some kinds of scrupulosities as amounting to a regular neurosis, have used hypnosis as a remedy; with what success, we cannot say. There are other and better means for allaying scruples more in accordance with the dignity of man and the demands of Christian fortitude; yet where there is imminent danger of a person losing the power of reason altogether, a physician might be excused if he resorted to this means as a last one, to save his patient from insanity.

Hypnosis, in connection with suggestion, has been sometimes used with success to cure certain vices, like drunkenness or kleptomania. It is needless to say that is a doubtful method of seeking to escape from the tyranny of habit. Yet in some extreme cases where everything else has failed, it might be tried. After all, a hypnotic suggestion differs from a suggestion made to the same person when awake, only in this, that whilst inhibiting the other impressions, hypnotic suggestion takes a far stronger hold of the mind. It may be questioned, however whether such cures are permanent.

1 A number of such cases are recounted in No. 9 of the 5th year, March, 1891.

Can we make experiments on human beings in order to advance science? Unless those experiments be at the same time useful remedies, the answer must be decidedly negative. Man is *sui juris* an end in self, you cannot use him as a *means*, you have no right to degrade him from the rank which God has assigned to him when the divine image was stamped upon his soul. Practise on crayfish and guinea pigs; but reverence God's image in man.

Nor is hypnosis to be used for discovering the secrets of a criminal; the end does not justify the means, and his conscience is a sanctuary, desecrated, it is true, but a sanctuary which God alone has the right to penetrate.

It is self-evident that all the uses of hypnotism which are censured by the Church, are essentially evil and condemned by Natural Law. We need not go over the sad catalogue, which the *accursed thirst for gold*, and superstition which is yet worse than greed, have swelled and continue to swell every day, but there is a sort of divination, which has been considered as supernatural, and which is nothing but pure humbug. We speak of *mind reading*, practised by Bishop and Cumberland, and styled *muscle reading* by Dr. Bird of New York. In vain did Bishop repeatedly assert that the whole secret consisted in *legerdemain*, in vain did Dr. Bird duplicate the experiments, and show the trick; people insisted on believing that Bishop was endowed with a supernatural lucidity—*mundus vult decipi.*

At last Max Dessoir of Berlin resolved to settle the matter, and he went to work in earnest with some university students. The result may be found in the *Proceedings of the Society for Physical Research* (October, 1886). At the first trial, Max Dessoir being *percipient* and Ewald Weiss the *agent*, a complicated action had to be not only *guessed* but *performed*, without any other direction than the touch of the agent; the success was complete, and the learned Max explains in detail how he interpreted the unconscious nervous movements of the agent. The second sitting was equally successful; the third was something of a failure. Then constant contact was dispensed with, and everything

went wrong. In the fourth sitting, they guessed numbers; of seven guesses not one was really successful; the fifth sitting was not so dismal a failure. Next they guessed words, that is, the agent *thought* a word, and the percipient guessed it. "Rome!" thinks the agent. "Hamburg!" guesses the percipient. "Lesen," thinks Herr Weiss. "Ehre," cries out the great Max, and so on. Cards were tried. "Ten of Spades," thinks Henrick Biltz, the agent. "Nine of Diamonds," guessed the candid Max, and so on, through twenty-one sittings. At last, they attempted to guess drawings; the agent traced a figure on the side of a frame, and the percipient, without seeing the drawing, had to duplicate it. These memorable daubs have been carefully preserved and can be seen on pp. 116, 117, 118, etc., to 123, of the periodical above mentioned. One of these wonderful divinations is truly remarkable. The agent Herr Biltz had drawn the profile of a beardless student smoking a cigar. Herr Dessoir was to guess and reproduce the image. Without seeing the inspiriting pen picture, or being told whether it was a house or a haystack, the percipient *perceived*, and he sketched a fish, and a queer one at that. Despite these failures the mind readers went on in their senseless assurance. They applied the formulas of the calculus of probabilities to the various cases, and found that they had guessed oftener than they should have done.[1]

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1 It is our pleasant duty to acknowledge our indebtedness to Drs. George H. Rohé, J. W. Chambers, and Howard A. Kelly, of Baltimore, and to Dr. C. K. Mill, of Philadelphia, of whom we obtained valuable assistance in the preparation of these papers.

The reader may find four very interesting and instructive articles on hypnotism in the *Lyceum* (February, March, April and May, 1889), the last of which dwells on the *dangers* of hypnotism about which we could say but few words.

BOOKS AS HELPS TO THE STUDY OF THE BIBLE.

THE right study of the Sacred Scriptures is of incalculable value from a practical point of view. The Bible serves as a library of religious thought, as a code and digest of the principles of all law, as a compend of political, social and domestic economy whose rules never lose their application. As a book of history it represents the best authenticated and most comprehensive record, leading back to the remotest ages, whilst it is, at the same time, a treasury of beautiful thoughts and reflections, instructive and elevating in a way which makes it a most effective means to the attainment of that beautiful union of culture and virtue which are the highest credentials of the priestly character.

Ptolemy, pagan though he was, and with men around him who represented all that was highest of Greek civilization[1] thought it no extravagance to offer the Jewish authorities at Jerusalem the equivalent of nearly a million dollars, in gold and freedmen, for a good Greek translation of some of the Old Testament books. Nor did he, in doing so, underestimate the literary value of the Sacred Hebrew Code. No other book on earth has done for the sciences of history, of languages, of government and morals, in short, for the development and diffusion of general knowledge, what has been accomplished by the use of the Bible. Catholics do not, and cannot, accept it as the *sole* rule of divine faith ; and this for the simple and logical reason that the written word, however true and life-giving when rightly interpreted, is, nevertheless, capable of being misunderstood by those who lack sufficient light to interpret its meaning, where that meaning may contain the direct expression of God's will and design. The Bible is a witness to surest truth, yet one incapable of self-defense against ignorant or perverse construction. It is a light of transcendent purity, but its rays may fail to come to a focus because there is a flaw in the lense of our intelligence; it may be dimmed and lose its quality of enlightening because the reflector of our mind is

1 *Euclid* the mathematician, *Theocritus* the poet, *Manetho* the Egyptian historian, dwelled at the court of Ptolemy Philadelphus.

blurred or coated with the film of some blinding attachment to preconceived notions. The mirror of our soul, in which God's truth is to be reflected, and from which we are to copy, as from a faultless pattern, the ways of life that lead to heaven, must be cleansed by previous polish from the dust stains of error, of prejudice or ignorance, the common inheritance of all pilgrims on earth. Next we have to take our distance so as to judge properly of the proportions, the colors, the separate parts of the image God has drawn for our instruction in the sacred volume.

In other words, the right and useful reading of the Bible requires from us a certain acquaintance with the history, the dates, the places, the customs and laws, national and social, which throws light upon the meaning of expressions and incidents otherwise incomprehensible. Hence we have to give some attention to the ancient records and monuments described by archeologists and historians. We must likewise inquire into the origin, history, authority, purpose and general argument of each of the inspired books. This knowledge aids the student to the interpretation or exegesis of the Bible, a book which only few can read with that realization of the surrounding circumstances which made it easily intelligible to those to whom it was first addressed.

English works on the subject of biblical interpretation, written from a Catholic standpoint, are very scant. On *Introduction* we have the two manuals by Dixon and MacDevitt. The former is the more complete, but, as it was written nearly fifty years ago, it lacks those important and interesting features which modern research has given to the study of scriptural topics, by fresh and definite information regarding the language, geography, history and social life of the ancient peoples of whom the Bible speaks. MacDevitt's book is excellent but incomplete and devoid of essential features belonging to a critical text-book of introduction. There is no Catholic work in English like, for example, Prof. Driver's *Introduction to the literature of the Old Testament.* We have no *Concordance* of the Catholic version in English ; nor any book which covers the ground of Geikie's

Hours with the Bible (6 vol.), a work which, though often bigoted, is full of interesting and solid information about the persons, places and important events of Bible history.

These wants in Catholic English literature suggest worthy motives and objects of activity to the scholarly among our clergy. It need not be a reproach to Catholic students that Protestants have gone in advance of us in these respects. The fundamental principle of the so-called "Reformation" has practically forced the exclusive study of the Bible as an apparent last resource to obtain some authority for the belief in revealed truth. The right and obligation of private interpretation has pushed this necessity still farther, and whilst it invited every critic to question the ground assumed by others who might differ from himself, it favored an all and many-sided inquiry into the Sacred Text. With Catholics the terms of revelation have but one meaning sustained by a living and permanent authority; the Bible is our constitution and law—not as a dead letter but as interpreted by the Supreme Judge of the Church—a last court of appeal when conscience or private judgment are in danger of being erroneous or false.

There are excellent works, for the Catholic student, in Latin, German and French. Cornely's *Introductio in Libros S. Scripturae* (4 vol.) and a *Compendium* of the same work (1 vol.) amply suffice to acquaint the average student of Scripture with the authenticity, authorship, purpose and critical characteristics of the different sacred volumes. For the historic account, archeology, etc., the French *Manuel Biblique*, by Bacuez and Vigouroux (4 vol.) is in every way satisfactory. The same may be said of Kaulen's *Einleitung in d. h. Schrift* and Schegg's *Bibl. Archaeologie*, both in German. We might here say that Herder's publications, partly in Latin, and partly in German and French, cover nearly the entire ground of biblical scholarship from a thoroughly Catholic standpoint.

Of *Commentaries* on the different books of Scripture we have two works of the first order and recent date: The French series (with collateral Latin text) *La Sainte Bible* (Lethielleux,

Paris), and the Jesuit *Cursus Completus S. Scripturae*, which latter is not yet complete. (See following list by Fr. Maas, S.J.)

Two good biblical Atlases have been published by Herder and Lethielleux respectively. Rand McNally & Co.'s Scriptural Geography will prove serviceable to most English speaking students, although the notes and references are adapted to the Protestant text. For those who read French, the *Revue Biblique Internationale*, published by Lecoffre (Paris), will prove an excellent medium for keeping themselves informed on the biblical literature of the day.

The appended list, prepared by the Librarian and Professor of S. Scripture at Woodstock College, will give the student a general survey of the bibliography belonging to the department of S. Scripture, including *Introduction*, *Auxiliary Sciences* and *Exegesis*. The works noted in the margin are such as are easily accessible and on the whole sufficient for the ordinary ecclesiastical library up to date.

THE EDITOR.

THE LIBRARY OF A PRIEST.

SECOND ARTICLE.

DEPARTMENT OF SACRED SCRIPTURE, COMPRISING INTRODUCTION, AUXILIARY SCIENCES, AND EXEGESIS.

I. WORKS ON INTRODUCTION TO THE STUDY OF THE SCRIPTURES.

The different views concerning the limits of the Introduction to Sacred Scripture are reflected in the contents of the books published on the subject.

a. Some treat *historical*, *archæological*, and *geographic* questions besides the history of the Sacred Books and the hermeneutic rules. To this class belong: the "*Hermeneutica Sacra*" by J. H. Janssens (Leodii 1818); the "*Introduction historique et critique aux livres de l'ancien et du nouveau Testament*" by J. B. Glaire (Paris 1838); the "*General*

Introduction to the Sacred Scriptures in a series of dissertations, critical, hermeneutical and historical," by the Rev. Joseph Dixon, D.D., Professor of Sacred Scripture and Hebrew in the Royal College of St. Patrick, Maynooth. The high merit of the author and his exalted dignity as Archbishop of Armagh and Primate of All Ireland to which his manifold qualities raised him, render it superfluous to either praise or recommend the work. It lacks, however, the information that has been accumulated by more recent publications, and does not give a special introduction to the separate books of the Bible. It contrasts favorably with the great Protestant work of this kind, the "*Introduction to the Critical Study and Knowledge of the Holy Scriptures*," by Thomas Hartwell Horne. This work, although it possesses the merit of collecting numerous extracts from different sources, shows little ability and learning, and is wholly devoid of what may be called theological knowledge. Another Catholic work which must be mentioned here, is the "*Introductio in Sacram Scripturam*," by U. Ubaldi (Romae 1877–1881).

Introduction —Dixon.

b. A second class of introductory works give only the *history of the Sacred Books* and the *rules of hermeneutics.* Among these may be classed the "*Introductio ad Sacram Scripturam*," by T. J. Lamy (Mechliniae 1866 ff.); it contains a summary of Jewish antiquities besides the above two kinds of subjects. To this class also belongs the "*Historica et critica Introductio* in U. T. Libros Sacros," by R. Cornely, S.J. (Parisiis 1885–1886), which is at present the most complete and satisfactory work on the subject. Its four volumes need not be read all at once ; the Indices will tell where to find the precise question one wishes to read up. An abridgement of the same in one volume, "*Historicae et Criticae Introductionis in U. T. Libros Sacros Compendium*," by R. Cornely (Parisiis 1889). We cannot refrain from mentioning also the clear and handy little volumes of Introduction (in French) by F. Vigouroux and L. Bacuez: "*Manuel Biblique.*" (Paris 1891–1892); two of them introduce the reader to the Old Testament and two form the propedeutics to the New.

Introd. hist. et critica—Cornely. 4 vol.

C'mpendi'm of the same work. 1 vol.

Vigouroux et Bacuez. 4 vol. edit. viii, 1891–92.

c. A third class of works join the *history of the sacred books* with that of the *divine revelation.* Not to mention the German work of Haneberg, "*Geschichte der biblischen Offenbarung*" (Regensburg, 1876), we must draw attention to the three mutually supplementary books of J. Danko: "*Historia Revelationis divinae Veteris Testamenti*" (Vindeb. 1862); "*Historia revelationis divinae N. T.*" (Vindeb. 1862); "*De Sacra Scriptura eiusque interpretatione Commentarius*" (Vindeb. 1867); as well as to the briefer treatise on the same subject by H. Zschokke: "*Historia sacra Vet. Test. compendiose concinnata.*" (Vindeb. 1888).

d. A fourth class of Introductions give *only the history* of the Sacred Books, omitting the rules of hermeneutics and the discussion of special historical, geographical and archæological questions. Here must be mentioned the "*Introduction to the Sacred Scriptures*" by the Rev. John MacDevitt, D.D., Professor of the Introduction to Scripture, in All Hallows Foreign Missionary College, Dublin (Dublin and New York, 1889). The concise brevity of the book (it contains only about 274 pages) admirably adapts it for use as a manual for beginners. Those who read German will find excellent introductions of this kind in the works of Kaulen (Freiburg, III ed., 1890) and Scholz (Koeln, 1845–1848); for the Old Testament alone in the works of F. J. Reusch (Freiburg, 1870), J. G. Herbst and Welte (Freiburg, 1840–1844), and of W. Schenz (Regensburg, 1887); for the New Testament alone in the books of J. L. Hug (Stuttgart, 1847); F. X. Reithmayr (Regensburg, 1852), A. Maier (Freiburg, 1852), Aberle (Freiburg, 1877), and of others.

Introduction J.MacDevitt.

e. Finally, there are a few works which treat only of some *special part of the Introduction.* Such are F. X. Patrizi's "*Institutio de Interpretatione Bibliorum*" (Romae, 1862) where we find a classical treatise on the principles of hermeneutics. Archbishop Smith has written an admirable volume entitled "*The Pentateuch, its authorship and credibility*"; the fact of the author's elevation to the See of Edinburgh has unfortunately prevented the completion of the work. The "*Four Gospels examined and vindicated on*

Catholic Principles," by M. Heiss (Milwaukee, 1863); "*Tatian's Diatessaron*," by M. Maher, S.J., lately published; Salmon's "*Introduction to the New Testament*" (London, 1889), Westcott's "*Canon of the New Testament*" (Cambridge and London, 1889), and "*Introduction to the Study of the Gospels*" (London, 1888), contain valuable material against the recent attacks on the authenticity of the New Testament, and especially the Gospels. Though the last two authors are Protestants, they agree in the question of New Testament authenticity with the views of Catholics. One of the best Introductions to the New Testament is that recently published by Brandscheid, together with a Greek-Latin recension of the text. It is critical and follows the best readings; "*Handbuch der Einleitung ins Neue Testament.*" (Herder, 1893.) The work "*In Historiam Creationis Mosaicae*," by J. B. Pianciani, S.J. (Neapoli, 1851); Gerald Molloy's "*Geology and Revelation*, (New York, 1890); Dr. F. H. Reusch's "*Nature and the Bible*," translated from the fourth German edition, by Kathleen Lyttelton, (Edinburgh, 1886); F. Vigouroux's "*La Bible et les Decouvertes Modernes*" (Paris, 1884 ff.); Schrader's "*Keilinschriften und Altes Testament*," an English translation of which has appeared under the title "The Cuneiform Transcriptions and the Old Testament" (London, 1885, 1888); Father Palmieri's "*De Viritate Historica Libri Judith*" (Galopiae, 1886), and works of a similar character will assist the Bible student in answering some of the numberless difficulties urged against the authenticity and veracity of the sacred books. Works like Reuss' "*History of the New Testament*" (Boston, 1884), or Weiss' "*Manual of Introduction to the New Testament*" (New York, 1889), hardly repay, in the case of an ordinary student, their price and time of reading. Driver's "*Introduction to the Literature of the Old Testament*" (Scribner, N. Y., 1893), though written by a Protestant, contains valuable information. The several introductory treatises in the volumes of the *Speaker's Commentary* are written from a conservative Protestant point of view.

Handb. der Einleitung ins N. Testament. Brandscheid 1893.

II. AUXILIARY SCIENCES.

a. Archaeology. A rich collection of older monographs on Biblical and Jewish Archaeology was made by Ugolini in his "*Thesaurus antiquitatum sacr.*," in 34 folio volumes (Venice, 1744–1769). Shorter handbooks on the whole range of "Antiquities" are: Jahn, "*Biblical Antiquities*" (Oxford, 1836); Haneberg, "*Die religioesen Alterthuemer der Bibel*" (Munich, 1869); Schegg, "*Biblische Archaeologie*," edited by Wirthmueller (Freiburg, 1887); Scholz, "*Die heiligen Alterthuemer des Volkes Israel*" (Regensburg, 1869), and also the Protestant works of Keil, "*Manual of Biblical Archaeology*" (Edinburgh, 1887–1888); Ewald, "*The Antiquities of Israel*" (London, 1876); De Wette, "*Lehrbuch der hebraeisch-juedischen Archaeologie*" (Leipzig, 1864). Among the works that treat special points of Archaeology are: Michaelis' "*Commentaries on the Law of Moses;*" Spencer's *De Legibus Hebraeorum;*" Edersheim's "*The Temple, its Ministry and Services;*" Lightfoot's "*Ministerium templi quale erat tempore nostri Servatoris;*" Maas' "*A Day in the Temple;*" not to mention the names and works of Buxtorf, Otho, Schoettgen, Meuschen, Goodwin, Hottinger, Wagenseil, Lundius, and others with whom the reader of any of the above mentioned works will become familiar. Contributions to Archaeology will also be found in the Dictionaries and Encyclopaedias enumerated below.

b. History. Besides the works of Haneberg, Danko and Zschokke mentioned above under I. c. we may refer to Riess' "*Historisch-geographischer Bibelatlas*" (Freiburg, 1883); Doellinger's translated works, "*The Gentile and the Jew in the Courts of the Temple of Christ*" (London, 1862) and "*First Age of the Church*" (London, 1867); Griffith's translation of Fouard's "*Saint Peter and the First Years of Christianity*" (New York, 1892) and "*St. Paul and his Missions*" (New York, 1894). Here belong also parts of the works on the *Life of Jesus Christ* by Coleridge, Fouard, Didon, Maas, and by the Protestant writers Edersheim, Keim, Geikie, Weiss and others. Schuerer's "*Jewish People in the time of Jesus Christ*" (Edinburgh, 1885-1890) has, like

most of the Protestant works of this kind, a rationalistic tendency, so that it must be read with caution.

c. Geography. Two magazines, one in English and the other in German, are devoted to recording the more recent discoveries: "*Palestine Exploration Fund*," quarterly statement, issued since 1869; "*Zeitschrift des deutschen Palaestina-Vereins*," issued since 1878; but the quarterly "*Revue Biblique*," a Catholic publication, issued since January, 1893, contains also many valuable contributions on sacred geography. Here again must be mentioned the dictionaries and encyclopaedias enumerated in the next paragraph. A standard Catholic work on the subject is Guérin's "*Description géographique, historique et archéologique de la Palestine:*" *Judée*, 3 vols. (Paris, 1860-1869); *Samarie*, 2 vols. (Paris, 1874-1875); *Galilée*, 2 vols. (Paris, 1880): the volume promised on Jerusalem has not yet appeared. A more handy and cheaper work on the subject is De Hamme's "*La Terre Sainte*" (Jerusalem and Paris, 1887); since the reverend author of this work has lived many years in the Holy Land, he has been able to give us not only a most accurate account of the sacred places, but also the local traditions and legends connected with them. Burns and Oates have published an English compendium of what Brother De Hamme has to tell us concerning Jerusalem and its surroundings. With these Catholic resources at our command we should be able to dispense with the Protestant works: "*The Holy Land and the Bible*," by Geikie; "*Sinai and Palestine*," by Stanley; "*The Land and the Book*," by Thomson; "*Lands of the Bible Visited and Described*," by Wilson; "*Biblical Researches in Palestine, Mount Sinai and Arabia Petrea*," by Robinson and Smith; and others of the same character. Though these works are written in an attractive language, they deal with Catholic traditions as a rule in such a radical way that one can hardly read them without feeling repelled by their manifest bias, unless it be that the allurements of their persuasive scepticism deaden our judgment.

d. Grammars, Dictionaries, Encyclopaedias: 1. Among

the Hebrew grammars that will prove useful to the Bible student, we may mention Gabriel's translation of *Kaulen's Hebrew Grammar* (St. Louis, 1888); Harper's "*Elements of Hebrew*" and "*Introductory Hebrew Method*;" Green's, Gesenius', Olshausen's, Boettcher's *Hebrew Grammars*; the last named are better adapted for advanced students. For the New Testament we have to name Winer's "*Treatise on the Grammar of the New Testament*" or his "*Grammar of the Idioms of the Greek Language of the New Testament*" (Philadelphia, 1840). Here belongs also Schilling's "*Commentarius Exegetico-Philologicus in Hebraismos Novi Testamenti*" (Mechliniae, 1886) and Viteau's "*Étude sur le Grec du Nouveau Testament*" (Paris, 1893).

2. As to dictionaries, the first place belongs to Drach's edition of Gesenius' "Hebrew Lexicon" (Paris, 1848); but for critical purposes the latest editions of Gesenius (translated by Robinson, Boston, 1871) or Davies, or Winer, or Lee, will prove more useful. For the biblical Greek the student may recur to the dictionaries of Schleusner "*Lexicon Graeco-Latinum in Novum Testamentum* (Glasguae, 1824), or to the work of Thayer "*A Greek-English Lexicon of the New Testament*" (New York, 1887). In this work, pp. xv-xvii, the reader will find additional references to lexicographical treatises on biblical subjects. We must not omit Weitenauer's little work "*Lexicon Biblicum in quo explicantur Vulgatae vocabula et phrases*" (Augustae Taurinorum, 1866).

3. To come now to encyclopaedias and encyclopaedic dictionaries, every one is acquainted with Horstman's translation of Calmet's "*Bible Dictionary*," a work which, though not without defects, deserves high praise. Among Protestant works should be mentioned Smith, "*Dictionary of the Bible*," 3 vols. (London, 1860–1863), or 4 vols. (New York, 1871); Kitto, "*Cyclopædia of Biblical Literature*," 3 vols., (London, 1869-1876); Schaff-Herzog, "*A Religious Encyclopædia, or Dictionary of Biblical, Historical, Doctrinal, and Practical Theology*," 3 vols. (Edinburgh, 1884); Fairbairn, "*Imperial Bible Dictionary*," 2 vols. (London, 1864-1866); M'Clintock & Strong, "*Cyclopædia of Biblical*

Theology and Ecclesiastical Literature" (New York, 1866 ff.). Wherever doctrinal subjects are discussed, these Protestant works must be read with great caution; even in their critical views they are at times inclined to rationalistic tenets. Every Catholic student should be acquainted with the great biblical dictionary that is now appearing in French under the editorship of F. Vigouroux (Dictionaire de la Bible, Paris); thus far its articles surpass in depth and completeness all of the foregoing Protestant dictionaries.

Dictionaire de la Bible.—Vigouroux. Being published in numbers since 1891. A translation is being prepared in English.

4. *Concordances*: for the Hebrew text we have the work of Fuerst "*Concordantiæ Heb. et Chald.*" (Leipzig, 1840); for the Alexandrian version of the Old Testament we may refer to Trommius "*Concordantiæ græcæ in lxx. interpretes*" (Amsterdam, 1718); the Greek of the New Testament has been collated by Bruder in "*Concordantiæ omnium vocum N. T. græci*" Leipzig 1842-1888); the Syriac text of the New Testament has a virtual concordance in Schaaf's "*Lexicon Syriacum concordantiale*" (Leyden, 1708); concordances to the Latin text of the Vulgate have been edited in the present century by Phalesius, Dutripon, Tonini and Bechis. But de Raze and Lachaud (Lyons, 1851 ff.) have succeeded in producing probably the handiest work, for the preacher at least, in their "Concordantiarum Manuale." Among concordances may be classed the work of Father Lambert: "*Thesaurus Biblicus or Handbook of Scripture References*," (Waterloo, N. Y., 1880), and that of Father Vaughan, "*The Divine Armory of Holy Scripture* (Catholic Book Exchange, 1894). These works are the more useful since there exists no concordance of the Catholic English version of the Bible. The authorized Protestant version has been collated by Young in his "*Analytical Concordance to the Bible*" (New York, 1880).

Concordance. (Lat.) Dutripon. excellent. (large) 1 vol.

Concordantiarum Manuale. (smaller).

Vaughan's Armory of Holy Scripture.

III. EXEGESIS.

Since the question of the canon and the inspiration of the sacred books is settled for the Catholic student by the infallible authority of the Church (scientifically they are

treated in the "Introduction,") we may at once pass on to the text and the commentary.

1. *Text: a.* The best Hebrew text of the Old Testament books is found in the stereotype editions of A. Hahn and C. G. Theile (Leipzig, 1832, 1849, 1859, 1867); the edition of S. Baer and F. Delitzsch, though begun in 1861, has not yet been completed (Psalms, 1861; Genesis, 1869; Isaias, 1872; the Minor Prophets, 1878, etc.); the edition begun under the editorship of Paul Haupt (Johns Hopkins University) has until now presented to the public *Leviticus*, edited by Driver; *Samuel*, edited by Budde, and *Job*, edited by C. Siegfried (Leipzig and Baltimore, 1893-1894).

b. The Greek text of the Old Testament has been edited by Van Ess, (Leipzig, 1824); Card. Mai (Rome, 1857, posthum.); Loch (Regensburg, 1866); Tischendorf (6 editions, 1850-1881); Vercellone and Cozza (Rome, 1868-1881); Tischendorf again, (the Sinaitic text, Leipzig, 1862). Among the almost numberless editions of the Greek text of the New Testament must be mentioned that of Westcott and Hort, (Cambridge and London, 1881); the 8 editions of Tischendorf, (1841, 1842 bis. 1849, 1850, 1854, 1856-1859, 1864-1872); the editions of Lachmann, (1831, 1842, 1850); the editions of Scholz, (Leipzig, 1830, 1836). All these have been utilized in the recent edition by the German Catholic Brandscheid mentioned above in the margin.

c. Among the editions of the Latin Vulgate may be mentioned that of Vercellone (Rome, 1860-1862); Loch (Regensburg, 1849 and 1863); Marietti (1851); the edition of Lyons, 1860, deserves special praise. As to the English text we have the Douay Bible and the Rheims translation of the New Testament (both revised by Dr. Challoner). The works of Kenrick, Shea and Lingard too deserve their part of praise.

2. *Commentaries*: *a.* Good commentaries upon the Old and New Testaments have been written by Hugo a S. Caro, Nicolaus of Lyra, Cornelius a Lapide, Emanuel Sà, Menochius, Tirinus, Mariana, Calmet, Allioli, Loch and Reischle. Among Protestant commentaries on the whole of

the Bible those of Hugo Grotius, Rosenmuller, Michaelis, and Cook (the Speaker's Commentary). The *Dublin Review*, in announcing Mossman's English translation of part of *a Lapide's Commentary* (SS. Matthew and Mark's Gospels in 3 vols.; St. John's Gospel and three Epistles in 2 vols.; St. Luke's Gospel in 1 vol.), said: "It is the most erudite, the richest, and altogether the completest commentary on the Holy Scriptures that has ever been written." The works of Sà, Menochius, Tirinus, and Mariana are more succinct. Haydock's edition of the Douay Bible will answer nearly the same purpose.

The best critical commentaries at present are the Latin *Cursus S. Scripturae* issued by the the German Jesuit Fathers, and the French series of Commentaries, now complete, which numbers 29 volumes, and counts among its authors Trochon, Crelier, Lesêtre, Fillion, Drach and other writers of great merit. The Latin series by the German Jesuits is not yet finished; but Cornely has thus far contributed *four vols. of an Introduction*, and *Commentaries on the Epistle to the Corinthians I and II*, and on the *Epistle to the Galatians;* Hummelauer has furnished *Commentaries on the Books of Judges and Ruth*, and also on *Kings I and II;* Gietmann has written on *Ecclesiastes* and the *Canticle of Canticles;* Knabenbauer has explained the *Gospels of Matthew and Mark*, the *Book of Job*, the *Prophecies of Isaias*, *Jeremias*, *Baruch*, *Daniel*, *Ezechiel*, and the *Minor Prophets.* These two Catholic Bible series compare very favorably with either the Speaker's Commentary or the Cambridge Bible. In fact, this last series appears very elementary alongside the above Catholic Commentaries.

Cursus Scripturae Sacrae—Jesuit Series.

Of the French course "La Sainte Bible" (text latin and French; notes in French) Genesis and the Psalms, excellent.

b. Works on special parts of different books of the Bible are: Patrizi, "*De Pentateuchi vaticiniis Messianicis*" (1853, 1877); Meignan, "*les Prophéties messianiques*" (Paris, 1878); Maas, "*Christ in Type and Prophecy*" (New York, 1892); Corluy, *Spicilegium dogmatico-biblicum* (Gandavi, 1884); the "*Beitraege*" of Reinke, and the "*Christologies*" of Bade and Hengstenberg are of a similar nature.

c. Commentaries on the books of the Old Testament,

which deserve special attention are the following: Pererius, "*Commentarius in Genesim*" (Romae, 1589); Bonfrerius, "*Pentateuchus Moysis commentario illustratus*" (Antwerpiae, 1625). Among the more recent commentaries of merit are Lamy's work on Genesis (Mechliniae, 1883), and Kenrick's translation of and notes on the Pentateuch, the historical books of the Old Testament, and the Psalms, the Book of Wisdom and the Canticle of Canticles. The Book of Josue has been explained by Andreas Masius, "*Josuae imperatoris historia illustrata atque explicata*" (Antwerpiae, 1574). The historical books of the Old Testament have been commented upon by Bonfrerius, Serrarius and Sanctius. The Books of the Machabees have been, so to speak, harmonized by Patrizi, "*de consensu utriusque libri Machabaeorum* (Romae, 1856). The Book of Job has been explained by Pineda in his "*Comm. in Job cum paraphrasi*" (Matriti, 1597), by Corderius in his "*Job Illustratus*" (Antwerpiae, 1646), by Le Hir "*le Livre de Job*" (Paris, 1873), and by Bickell "*De indole ac ratione versionis Alexandrinae in interpretando lib. Job*" (Marburg, 1863). Among the numerous treatises on the *Psalms*, those of Agellius, Bellarmine (English translation), de Muis, Patrizi (in Italian, deserve special mention. The little work of Le Hir, "*Les Psaumes traduits de l'Hebreu en Latin*" (Paris, 1876), probably surpasses all other books in its exactness and concise brevity of treatment. The Solomonic books have been closely studied by Salazar (Proverbs), Jansenius Gandavensis (Proverbs), Pineda (Ecclesiastes), Mottais (Ecclesiastes), Ghislierius (Canticles), and Le Hir (Canticles). The Books of *Wisdom* and *Ecclesiasticus* have found able commentators in Jansenius Gandavensis, Gorse, de Pina (Ecclesiasticus), and Bossuet. Among the Prophets, *Isaias* has been well explained by Forrerius and Sanctius; *Jeremias* and *Baruch* by Maldonatus and de Castro; *Ezechiel* by Pradus and Sanctius; *Daniel* by Sanctius and Pintus; the *Minor Prophets* by Sanctius and Ribera. Though some of the Protestant commentaries throw additional light on matters of geography, history and lexicography, their exegetical information may almost

invariably be found in one or another of the foregoing Catholic commentaries.

d. Commentaries on the Gospels are so numerous that the difficulty lies in making the proper selection among the many books that invite our attention. Almost classical is the "*Commentary on the Holy Gospels*," by Maldonatus, translated into English by Davie; then follows McEvilly's "*Exposition of the Gospels*" (Dublin, 1876), and the "*Acts of the Apostles*" (Dublin, 1894). Coleridge's "*Life of Our Lord*" (London, 1876–1888); a very brief and concise commentary on the Gospels may be found in Maas', "*The Life of Jesus Christ according to the Gospel History*" (St. Louis, 1892). Special commentaries on the single Gospels we find in McCarthy's "*Gospel of St. Matthew*" (Dublin, 1877), Toletus' "*Comment. in Joannem*" (Romae, 1588), and "*Commen. in Lucam, I-XIII*" (Romae, 1600), Corluy's "*Commen. in Joannem*" (Gandavi, 1882), van Steenkiste's "*Evang. S. Matthaii*" (Brugis, 1882), Patrizi's "*Commen. in Joannem*" (Romae, 1857), and "*Commen. in Marcum*" (Romae, 1862), and also "*de Evangeliis libri tres*" (Friburgi, 1853).

e. As to the other writings of the New Testament, we possess Beelen's "*Commen. in Acta*" (Lovanii, 1850), Patrizi's "*In Act. Commen.*" (Romae, 1867), Lorinus' "*Commen. in Act.*" (Lugduni, 1605), Estius' "*In Omnes B. Pauli et septem Catholicas Apostolor. epistol. commen.*" (Duaci, 1614), Justinianus' "*In Omnes B. Pauli epist. explanationes*" (Lugduni, 1612), McEvilly's "*St. Paul's and Catholic Epistles and the Acts*; Piconio's "*Triplex Expositio—Exposition on St. Paul's Epistles*," translated into English by Prichard; besides, we may name the commentaries of Beelen on "*Epist. ad Romanos*," of Palmieri on "*Epist. ad Galatas*," and of Agus on "*Epist. ad Romanos.*" On the Catholic Epistles we may mention, besides the works already referred to, the commentaries of Lorinus, Estius, Justinianus, Serrarius, and de Gorham; on the Apocalypse good commentaries have been written by Ribera, Viegas, Alcasar and Holzhauser. The work of Lacunza contains

some good hints on the general agreement of the Old and New Testament prophecies, but it has rightly been placed on the Index of prohibited books on account of its wild theories on the Church.

f. There are a number of other works which it would be good to consult, though they do not fall under any of the foregoing headings: Formby's "*Familiar Introduction to the Study of the Sacred Scriptures*," Humphrey's "*The Written Word*," Fénelon's "*Bible Question Fairly Tested*," Ward's "*Errata in the Protestant Bible*," Gallitzin's "*Letters to a Protestant Friend on the Scriptures*," Preston's "*Protestants and the Bible*," Vaughan's "*Plea for the Popular Use of the Bible*," Pittar's "*Protestant Converted by Her Bible and Prayer Book*," St. Augustine's "*Sermons on the New Testament*," and "*Homilies on the Gospel of St. John*," and "*On the Psalms*;" St. Chrysostom's "*Homilies on the Gospel of St. Matthew*," "*St. John*," "*the Acts*," and "*the Epistles of St. Paul;*" "*Gospel Harmonies*," by Coleridge, St. Augustine, Walsh, Lohmann, Patrizi, Law, Jansenius, Gand and Maas; Formby's "*Parables of our Lord Jesus Christ*," and Prachensky's "*Church of the Parables*," Goffine's "*Devout Instruction on the Epistles and Gospels*," McCarthy's "*Epistles and Gospels Throughout the Year.*"

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CONFERENCES.

THE LAW REGARDING CHARITABLE BEQUESTS.

The law of many States restricts the power of testators in regard to charitable bequests. The statutes framed for this purpose vary considerably and permit a wide range of construction dependent on different local and personal conditions. Thus in the State of New York a charitable bequest becomes void unless made *two months* before death; also, if the sum bequeathed exceed one-half of the legacy to wife, child or parent; in the case of corporate charities a devise becomes invalid unless expressly authorized in the charter or by statute. In Pennsylvania, the law requires that charitable bequests have been made *one calendar month* before death; the California statute calls for "at least thirty days;" in the State of Michigan *two months* are required; in Georgia, "*at least ninety days*;" in the State of Delaware the law demands such bequests to be in form of *deeds* (irrevocable) executed *one year* before; the Ohio statute makes such bequests void where the testator leaves issue or has adopted children, unless the bequest date back at least *one year*. In some States, as in Maryland, Missouri, Kentucky, the amount of real estate which may be bequeathed to churches, etc., is nominally limited. In the territories "no religious or charitable association may hold real estate of a greater value than fifty thousand dollars." (*Manual of the Law of Wills*, C. F. Beach, p. 241).

As the term "charitable" is not uniformly defined by the law, it happens that the validity of such bequests is frequently made dependent on the construction of the courts. The Virginia code distinguishes *religious* from *literary* and *educational* purposes, allowing bequests to the latter; whilst the law of West Virginia expressly sanctions bequests for *religious worship*.

Whilst it may be assumed that where there is no specific legislation on the subject, a testator is perfectly free to the time of his death, to will his property for purposes of charity, yet, as civil statutes of this kind may easily be enacted or changed, without our becoming immediately cognizant of the fact, we repeat the suggestion made before, that charitable bequests made at the near approach of death should assume the form of gifts made to the living before competent witnesses. This does not defeat the object of the law, which is wisely intended to check undue influence upon testators at a time when they may be unable to dispose by gift, whilst sufficiently passive to bequeath by will.

EXTRACT FROM THE DECISION OF THE SYNOD OF GNESEN AND POSEN, 1893, REGARDING THE MAKING OF WILLS.

The following extract from a decree of the diocesan Synod of Gnesen and Posen, November 15, 1893, will be of interest to our readers, in view of the principal subject treated in this number.[1]

"Innovantes et in memoriam revocantes Synodorum Nostrarum provincialium et dioecesanarum statuta, omnes utriusque Archidioecesis Nostrae beneficiatos in Domino monemus et obligamus, ut praesertim ii, qui aetatis suae annum quinquagesimum transgressi, sunt, vel debilioris valetudinis se esse sentiunt, horam mortis praevenientes, tempestive de iis quae sive ex parsimonia, sive ex superfluis beneficii sui redditibus collegerint, per testamentum rite confectum et judici civili traditum disponant. Conficiendo vero testamenta caveant, ne inordinato erga parentes et consanguineos ducti affectu, iis omnia distribuant, neglecta Ecclesia cui inservierint, et neglectis piis institutis sive jam in diocesi existentibus, sive necessario mox condendis, uti, e. g. convictu juventutis ad statum clericalem se praeparantis, quorum ante omnia juxta mentem ss. canonum rationem habere debeant. Sciant igitur se in conscientia

1 Cf. *Archiv fur katholisches Kirchenrecht*, n. 4, p. 111.

ad disponendam unam saltem partem fortunae suae ad pias causas obligatos esse et animae suae male consulere, si secus agant.

"Insuper omnes Decanos foraneos in virtute obedientiae obstringimus, ut quotiescumque aliquis parochus decanalis gravius agrotet, eum sine mora visitent, animae ejus provideant, de testamento eum interrogent, et si, quod absit, illud nondum confectum comperierint, ad quantocius juxta mentem ss. canonum conficiendum compellant.

"De confecto testamento etiam in visitationibus pastoralibus beneficiatos imprimis aetate provectiores interrogent, Nobisque referant qui huic officio satisfecerint et qui non satisfecerint."

In the same spirit his Eminence, Cardinal Kopp, has also promulgated an ordinance to the clergy of Breslau. The prelate remarks that several priests have recently died intestate, thus rendering impossible charitable bequests which they had long contemplated. He therefore feels himself obliged to remind his priests of certain rules prescribed in former diocesan statutes; he recommends them not only to make their wills, but also to observe carefully all the formalities required to ensure the validity of such documents; he concludes with the following regulation:

"The arch-priests, must, therefore, in accordance with what is hereby ordained, have the parish priests give to them upon the occasion of the annual visitation, a certificate of deposit (of their will into the hands of a notary, etc.), and this they shall state in their report, indicating the date and number of the deposit, in order to prevent the dissensions which may arise in regard to legacies and bequests, contrary to the intentions of the testator."

THE "RAINBOW" AND "BREECHES" BIBLES.

Qu. I have recently come upon a passage on scriptural studies which mentioned the *Rainbow Bible*. I have looked in all our biblical "Introductions" and Dictionaries but can find no trace of even the word, apart from the passage referred to. Is there an edition of this name; if so, when was it printed and why is it so called?

Whilst troubling you with this query let me also ask a word of explanation about the word "Breeches Bible," applied to an edition of 1560.

Resp. The word "Rainbow Bible" is not likely to be found in any book on Introduction or Scripture Dictionary of the present day for the reason that the publication to which the term has heen applied (rather facetiously) is only being published, under the auspices of the Johns Hopkins University. It is printed in colors; hence the appellation.

Instead of confining itself to the Masoretic text of our present Hebrew Bible which was the result of a reform movement on the part of the rabbins between the fifth and eleventh centuries of our era, the poly-chrome edition proposes to publish the various readings of the Hebrew text, the Judaic, the Ephraemitic, the Midrash additions and changes, besides others suggested by the early translations. These changes of reading are indicated by different colors so as to readily call attention to their source without having to repeat the names in each instance. The idea is a happy one and in harmony with modern methods of prominently employing the aid of the sense organs in the imparting of knowledge. The blocks of blue, red, and other colors on the white page give the latter a variegated appearance, and this has led to the name of poly-chrome or rainbow Bible.

We may add here that, although the co-laborers of this work, which promises to become the most important Hebrew text reprint hitherto issued, are selected from the best forces of Germany, England, and France, as well as America, yet the edition will be known as distinctly American. It is under the direction of Prof. Haupt, of the Johns Hopkins University, where the press work is also done. Thus far only three books, Leviticus, Samuel and Job, have appeared. Father Maas makes mention of the work in his list of Scripture works for the "Library of a Priest."

The so-called "Breeches Bible," of 1560, is the English Protestant (Calvinistic) version printed at Geneva under the

auspices of Coverdale, who had made the translation sanctioned by Edward VI., in 1530, which was afterwards revised by Matthew Parker. It has its name from the fact that it translates the words of Genesis, Chap. iii, verse 7, "et fecerunt sibi perizomata" by "and they made themselves breeches."

THE BLESSED SACRAMENT IN PRIVATE ORATORIES OF NUNS.

Qu. There is a community of five Sisters teaching our parochial school here. They have frequently asked me to have the Blessed Sacrament kept in their small oratory since it is inconvenient for them to go to the church. I am under the impression that the legislation of the Church does not allow such a privilege, except for larger communities and in chapels where Mass can be regularly celebrated at least three times a week. What number of religious would be required to justify my requesting the Bishop to extend the privilege in the case of school Sisters; would it be allowable in this instance?

Resp. It depends upon the Faculties of the Bishop. By the Statutes of the Newark Diocese, for example, a community of four religious is entitled to have the Blessed Sacrament "in tabernaculo decenter exstructo et ornato, cujus clavis a presbytero retineatur," provided Mass is celebrated at least *once* a week in the same chapel. The Holy See moreover desired in this case that the pupils of the school should be brought to such oratories, from time to time (at least once a month), for the purpose of making visits in common to the Blessed Sacrament. Of course the circumstances of the place, the actual facilities, the number and duties of the parochial clergy, etc., must largely determine the use of such Faculties.

ANALECTA.

EPISTOLA LEONIS XIII

AD ARCHIEPISCOPOS ET EPISCOPOS FOEDERATARVM AMERICAE SEPTENTRIONALIS CIVITATVM.

LEO PP. XIII.

VENERABILES FRATRES.

Salvtem et Apostolicam Benedictionem.

Longinqa oceani spatia animo et cogitatione traiicimus: et quamquam vos allocuti alias scribendo sumus, maxime quoties ad episcopos catholici orbis communes litteras pro auctoritate dedimus, modo tamen affari vos separatim decrevimus, hoc videlicet consilio ut prodesse aliquid catholico nomini apud vos, Deo volente, possimus. Idque summo studio curâque aggredimur; propterea quod et plurimi facimus et magnopere diligimus americanum, validum iuventâ, genus; in quo plane non civilis tantummodo, sed christianae etiam rei cernimus animo incrementa latentia.

Exitum quarti ab explorata America saeculi cum tota gens vestra haud multo ante gratâ recordatione atque omni significatione, ut erat dignum, concelebraret, Nos item auspicatissimi facti memoriam vobiscum recoluimus communione laetitiae et similitudine voluntatis. In illoque tempore vota quidem pro incolumitate et magnitudine vestra absentes fecisse, haud satis habuimus; in optatis erat coram, aliqua ratione, vobis adesse gestientibus; ob eam rem libentes, qui gereret personam Nostram, misimus.

Quae vero in illa celebritate vestra fecimus, non iniuria fecimus; quia americanum genus, vix editum in lucem ac prope vagiens in cunis, sinu amplexuque suo Ecclesia parens excepit. Quod enim alias datâ operâ demonstravimus, navigationum laborumque hunc in primis fructum Columbus petiit, aditum christiano nomini per novas terras novaque maria patefacere; qua in cogitatione constanter inhaerens, quibuscumque appulsus oris, nihil habebat antiquius, quam ut Crucis sacrosanctae simulacrum defigeret in littore. Quapropter sicut arca Noetica, exundantes supergressa fluctus, semen

vehebat Israelitarum cum reliquiis generis humani, eodem modo commissae oceano Columbianae rates et principium magnarum civitatum et primordia catholici nominis transmarinis oris invexere.

Quae postea consecuta sunt, non est huius loci singula persequi. Certe repertis ab homine Ligure gentibus, etiam tum agrestibus, evangelium maturrime illuxit. Satis enim est cognitum quot e Franciscana familia, item ex Dominicana et Loiolaea, duobus continentibus saeculis, istuc navigare huius rei gratiâ consueverint, ut deductas ex Europa colonias excolerent, sed in primis et maxime ut ad christiana sacra indigenas ex superstitione traducerent, consecratis non semel cruento testimonio laboribus. Nova ipsa oppidis vestris compluribus et fluminibus et montibus et lacubus imposita nomina docent perspicueque testantur, Ecclesiae catholicae vestigiis vestras penitus impressas origines.—Neque illud fortasse sine aliquo divinae providentiae consilio factum, quod heic commemoramus ; cum americanae coloniae libertatem ac principatum, adiuvantibus hominibus catholicis, adeptae, in rempublicam coaluere iure fundatam, tunc apud vos est ecclesiastica hierarchia rite constituta ; et quo tempore magnum Washingtonum ad gubernacula reipublicae admovit populare suffragium, eodem pariter tempore auctoritate apostolica primus est Americanae Ecclesiae episcopus praepositus. Amicitia vero consuetudoque familiaris, quam alteri cum altero constat intercessisse, documento videtur esse, foederatas istas civitates concordiâ amicitiâque coniunctas esse Ecclesiae catholicae oportere. Neque id sane sine caussa. Non enim potest nisi moribus bonis stare res publica ; idque acute vidit edixitque primarius ille civis vester, quem modo nominavimus, in quo tanta fuit vis ingenii prudentiaeque civilis. Sed mores bonos optime et maxime continet religio, quippe quae suapte naturâ principia cuncta custodit ac vindicat ex quibus officia ducuntur, propositisque ad agendum momentis maximis, iubet cum virtute vivere, peccare vetat. Quid autem est Ecclesia aliud, nisi societas legitima, voluntate iussuque Iesu Christi conservandae morum sanctitati tuendaeque religioni condita ? Hanc ob rem, quod saepe ex hoc pontificatus fastigio persuadere conati sumus, Ecclesia quidem, quamquam per se et naturâ suâ salutem spectat animorum, adipiscendamque in caelis felicitatem, tamen in ipso etiam rerum mortalium genere tot ac tantas ultro parit utilitates, ut plures maioresve non posset, si in primis et maxime esset ad tuendam huius vitae, quae in terris degitur, prosperitatem instituta.

Progredientem rem publicam vestram atque in meliorem statum

volucri itinere venientem, nemo non vidit ; ibque in iis etiam rebus quae religionem attingunt. Nam quemadmodum ingenti commodorum potentiaeque accessione, unius conversione saeculi, crevere civitates, ita Ecclesiam cernimus ex minima tenuissimaque magnam perceleriter effectam et egregie florentem. Iamvero si ex una parte auctae opes copiaeque civitatum merito americani generis ingenio atque operosae sedulitati referunter acceptae ; ex altera florens rei catholicae conditio primum quidem virtuti, sollertiae, prudentiaeque tribuenda Episcoporum et Cleri ; deinde vero fidei munificentiaeque catholicorum. Ita singulis ordinibus pro virili parte adnitentibus, licuit vobis res innumerabiles pie atque utiliter instituere ; aedes sacras, ludos litterarios pueris instituendis, domicilia maiorum disciplinarum, domos hospitales plebi excipiundae, valetudinaria, coenobia. Quod vero propius ad culturam attinet animorum, quae christianarum exercitatione virtutum continetur, plura Nobis comperta sunt, quibus et spe erigimur et gaudio complemur ; scilicet augeri gradatim utriusque ordinis Clericos ; in honore esse pia collegia sodalium, vigere scholas *curiales catholicas.* scholas *dominicas* doctrinae christianae tradendae, scholas *aestivas :* consociationes ad suppetias mutuo ferendas, ad inopiam levandam, ad victus temperantiam tuendam ; his accerdere multa pietatis popularis argumenta.

Harum felicitati rerum non est dubium plurimum iussa ac decreta conducere Synodorum vestrarum, earum maxime, quas posteriore tempore Sedis Apostolicae vocavit et sanxit auctoritas. Sed praeterea, libet enim id fateri quod est, sua debetur gratia aequitati legum, quibus America vivit, moribusque bene constitutae rei publicae. Hoc enim Ecclesiae apud vos concessum est, non repugnante temperatione civitatis, ut nullis legum praepedita vinclis, contra vim defensa iure communi iustitiâque iudiciorum, tutam obtineat vivendi agendique sine offensione facultatem. Sed quamquam haec vera sunt, tamen error tollendus, ne quis hinc sequi existimet, petendum ab America exemplum optimi Ecclesiae status ; aut universe licere vel expedire, rei civilis reique sacrae distractas esse dissociatasque, more americano, rationes. Quod enim incolumis apud vos res est catholica, quod prosperis etiam auctibus crescit, id omnino fecunditati tribuendum, qua divinitus pollet Ecclesia, quaeque si nullus adversetur, si nulla res impedimento sit, se sponte effert atque effundit ; longe tamen uberiores editura fructus, si, praeter libertatem, gratiâ legum fruatur patrocinioque publicae potestatis.

Nos vero, quoad per tempora licuit, conservare ac fundare firmius rem catholicam apud vos, numquam praetermisimus.—Hac de caussa duas potissimum res, quod probe nostis, aggressi sumus ; alteram, provehere studia doctrinarum ; alteram, rei catholicae efficere adminstrationem pleniorem. Scilicet etsi universitatis studiorum domicilia plura numerabantur, eaque insignia, faciendum tamen duximus, ut unum aliquod existeret Sedis Apostolicae auctoritate institutum, idemque omni iure legitimo a Nobis auctum, in quo doctores catholici studiosos sciendi erudirent, principio quidem philosophicis ac theologicis, deinde vero, ubi res et tempora siverint, ceteris quoque disciplinis, iis nominatim quas nostra aut peperit aut perfecit aetas. Omnis enim eruditio manca sit, si nulla recentiorum disciplinarum accesserit cognitio. Videlicet in hoc tam celeri ingeniorum cursu, in tanta cupiditate sciendi tam late fusa, eademque per se laudabili atque honesta, anteire decet catholicos homines, non subsequi ; ideoque instruant se oportet ab omni elegentia doctrinae, acriterque exerceant animum in exploratione veri, et totius, quoad potest, indagatione naturae. Quod omni tempore idem Ecclesia voluit ; ob eamque rem ad proferendos scientiarum fines omnino tantum conferre consuevit, quantum opera et contentione potuit. Igitur per litteras die VII Martii an. MDCCCLXXXIX ad vos, Venerabiles Fratres, datas Gymnasium magnum cupidae maiorum disciplinarum juventuti rite constituimus Washingtoni, in urbe principe ; quam quidem peropportunam fore sedem studiis optimis, vosmetipsi maximo numero significastis. De qua re ad venerabiles fratres Nostros S. R. E. Cardinales cum referremus in Consistorio[1], velle Nos declaravimus, legis instar eo in gymnasio haberi, ut eruditio et doctrina coniungatur cum incolumitate fidei, neque minus ad religionem quam ad artes optimas informentur adolescentes. Idcirco rectae studiorum rationi, ac disciplinae alumnorum tuendae praesse iussimus foederatarum civitatum Episcopos, collata Archiepiscopo Baltimorensi Cancellarii, ut loquuntur, postestate ac munere.—Et initia quidem, Dei beneficio, satis laeta. Nulla enim interiecta mora, cum saecularia sollemnia ob memoriam ecclesiasticae Hierarchiae ageretis, exorsae faustis ominibus, praesente Legato Nostro, sacrae disciplinae. Ex eoque tempore elaborare novimus in tradenda theologia spectatos viros, quorum ingenii doctrinaeque laus insigni erga Sedem Apostolicam fide observantiâque cumulatur.—Neque vero diu est, cum rescivimus,

1 Die XXX Decembr. an. MDCCCLXXXIX.

pii sacerdotis liberalitate extructas ab incohato aedes scientiis litterisque tradendis, clericorum simul et laicorum commodo adolescentium. E cuius viri exemplo facile confidimus sumpturos, quod imitentur, cives; non enim ignota Nobis indoles Americanorum; neque fugere eos potest, quidquid in ea re collocetur liberalitatis, cum maximis in commune utilitatibus compensari.

Ex huiusmodi Lyceis, quae variis temporibus Ecclesia romana aut ipsamet princeps instituit, aut instituta probavit legibusque auxit, nemo est nescius quanta in omnem Europam et doctrinae copia et vis humanitatis effluxerit. Hodieque, ut sileamus de ceteris, satis est Lovaniense meminisse: ex quo universa Belgarum gens incrementa petit prosperitatis et gloriae prope quotidiana. Iamvero par ac similis copia utilitatum facile est a magno Lyceo Washingtoniensi consecutura, si doctores pariter atque alumni, quod minime dubitamus, praeceptis Nostris paruerint, iidemque, amotis partium studiis et contentionibus, opinionem sibi a populo, a Clero conciliarint.

Caritati vestrae, Venerabiles Fratres, ac beneficentiae populari commendatum hoc loco volumus Collegium urbanum adolescentibus ex America septentrionali ad sacra fingendis, quod Pius IX decessor Noster condidit, quodque ipsum Nos, per litteras die XXV Octobri mense an. MDCCCLXXXIV datas, constitutione legitima firmandum curavimus: eo vel maxime quod communem de ipso expectationem haud sane fefellit exitus. Testes etis vosmetipsi, non longo temporis decursu, complures inde extitisse sacerdotes bonos, in iisque nec deesse qui maximos sacrae dignitatis gradus virtute adepti doctrinaque sint. Quare vos omnino arbitramur facturos operae pretium, si perrexeritis lectos adolescentes huc mittere in spem Ecclesiae instituendos: quas enim et ingenii opes et animi virtutes in romana urbe paraverint, eas aliquando explicabunt domi, atque in communem afferent utilitatem.

Simili modo vel inde a Pontificatus exordio caritate permoti, qua catholicos e gente vestra complectimur, de Concilia Baltimorensi III cogitare coepimus. Cumque serius Archiepiscopi, eius rei caussâ, Romam invitatu Nostro istinc advenissent, diligenter ab ipsis, quid in commune consulendum censerent, exquisivimus: postremo quod universis Baltimoram convocatis visum est decernere, id matura consideratione adhibita, ratum esse auctoritate apostolica iussimus. Celeriter autem apparuit operae fructus. Quandoquidem Baltimorensia consulta, salutaria et valde accommodata temporibus res ipsa comprobavit, comprobat. Satis iam

eorum perspecta vis est ad stabiliendam disciplinam, ad excitandam Cleri sollertiam ac vigilantiam, ad catholicam adolescentis aetatis institutionem tuendam et propagandam.—Quamquam his in rebus si vestram, Venerabiles Fratres, agnoscimus industriam, si collaudamus iunctam cum prudentia constantiam, merito vestro facimus: propterea quod plane intelligimus, talium ubertatem bonorum nequaquam ad maturitatem tam celeriter atque expedite preventuram fuisse, si vosmetipsi, quae sapienter ad Baltimoram statueratis, ea non sedulo et fideliter exsequi, quantum in sua quisque potestate erat, studuissetis.

Verum absoluto Baltimorensi concilio, reliqua pars erat ut congruens et conveniens quasi fastigium imponeretur operi: quod impetrari vidimus vix posse melius, quam si Apostolica Sedes legationem americanam rite constituisset: eam itaque, ut nostis, rite constituimus. Atque hoc facto, quemadmodum alias docuimus, primum quidem testari placuit, in iudicio benevolentiaque Nostra eodem Americam loco et iure esse, quo ceterae sunt, praesertim magnae atque imperiosae civitates. Deinde illud quoque spectavimus, ut officiorum et necessitudinum, quae vos, quae tot hominum millia catholicorum cum Apostolica Sede continent, fierent coniunctiora nexa. Revera multitudo catholicorum rem a Nobis peractam intellexit, quam sicut saluti sibi sentiebat fore, ita praeterea in more positam institutoque Sedis Apostolicae cognoverat. Videlicet romani Pontifices, ob hanc caussam quod rei christianae administrandae divinitus tenent principatum, suos peregre legatos ad gentes populosque christianos mittere vel ab ultima antiquitate consueverunt. Id autem non extrinsecus quaesito, sed nativo iure suo, quia "romanus Pontifex, cui contulit Christus potestatem ordinariam et immediatam sive in omnes ac singulas Ecclesias, sive in omnes et singulos Pastores et fideles,[1] cum personaliter singulas regiones circuire non possit, nec circa gregem sibi creditum curam pastoralis sollicitudinis exercere, necesse habet interdum *ex debito impositae servitutis*, suos ad diversas mundi partes, prout necessitates emerserint, destinare legatos, qui *vices eius supplendo*, errata corrigant, aspera in plana convertant et comissis sibi populis incrementa ministrent."

Illa vero quam iniusta et falsa suspicio, si qua foret uspiam, demandatam Legato potestatem potestati officere episcoporum.

1 Conc. Vat. Sess. iv. c. 3.
2 Cap. un. Extravag. Comm. *De Consuet.* l. I.

Sancta Nobis, ut nulli magis, eorum iura sunt, quos *Spiritus sanctus posuit episcopos regere Ecclesiam Dei*, eaque permanere integra in omni gente, atque in omni regione terrarum et volumus et velle debemus: praesertim quod singulorum dignitas episcoporum cum dignitate romani pontificis ita natura contexitur, ut alteri necessario consulat, qui alteram tueatur. *Meus honor est honor universalis Ecclesiae. Meus honor est fratrum meorum solidus vigor. Tum ego vere honoratus sum, cum singulis quibusque honor debitus non negatur.*[1] Quare Legati Apostolici, qualicumque demum potestate augeatur, cum haec persona atque hae partes sint, Pontificis a quo mittitur, mandata facere et voluntatem interpretari, tantum abest ut ordinariae potestati episcoporum quicquam pariat detrimenti, ut potius firmamentum ac robur sit allaturus. Eius quippe auctoritas non parum est habitura ponderis ad conservandam in multitudine obedientiam; in Clero disciplinam debitamque Episcopis verecundiam; in Episcopis caritatem mutuam cum intima animorum coniunctione.—Quae quidem tam salutaris tamque expetenda coniunctio, cum in hoc potissimum sita sit et sentire concorditer et agere, plane efficiet, ut quisque vestrum in administratione rei dioecesanae suae diligenter versari pergat; nemo alterum in regundo impediat: de alterius consiliis actisque nemo quaerat: universique, sublatis dissidiis retinendaque invicem observantia, provehere Ecclesiae americanae decus et commune bonum summa virium conspiratione nitamini. Ex qua Episcoporum concordia dici vix potest quanta non modo salus in nostros manabit, sed et in reliquos vis exempli: quippe qui facile vel hoc ipso argumento perspicient in Episcoporum catholicorum ordinem vere divinum apostolatum hereditate transisse.—Est praeterea aliud magnopere considerandum. Consentiunt prudentes viri, quod Nosmetipsi paulo ante indicavimus, nec sane inviti, reservatam ad maiora Americam videri. Atqui huius, quae prospicitur, magnitudinis participem eamdemque adjutricem Ecclesiam catholicam volumus. Nimirum ius esse atque oportere iudicamus, eam una cum republica pleno gradu ad meliora contendere, utendis videlicet opportunitatibus, quas afferat dies: eodemque tempore dare operam, ut virtute institutisque suis prosit quam maxime potest incrementis civitatum. Sed omnino utrumque est tanto facilius cumulatiusque consecutura, quanto constitutam melius futura tempora offenderint. Iamvero quid sibi vult legatio, de qua

1 S. Gregorius Epist. ad Eulog. Alex. lib. viii, ep. 30.

loquimur, aut quid spectat tamquam finem, nisi hoc efficere, ut Ecclesiae sit constitutio firmior, disciplina munitior?

Quod ita cum sit, valde velimus hoc in animos catholicorum quotidie altius descendat, nec sibi privatim consulere se posse rectius, nec de salute communi melius mereri, quam si Ecclesiae subesse atque obtemperare toto animo perrexerint.

Quamquam hac illi in re vix indigent hortatione: solent enim sua sponte et laudibili constantia ad instituta catholica adhaerescere. Rem unam eamque maximi momenti et saluberrimam in omnes partes libet recordari hoc loco, quae fide moribvsque sancte apud vos uti aequum est, generatim retinetur: dogma christianum dicimus de unitate et perpetuitate coniugii: in quo non societati dumtaxat domesticae, sed etiam coniunctioni hominum civili maximum suppeditat vinculum incolumitatis. De civibus vestris, de iis ipsis qui nobiscum cetera dissident, catholicam hac de re doctrinam catholicumque morem non pauci mirantur ac probant, videlicet perterriti licentia divortiorum. Quod cum ita iudicant, non minus caritate patriae ducuntur, quam sapientia consilii. Vix enim cogitari potest capitalior civitati pestis, quam velle, dirimi posse vinculum, divina lege perpetuum atque individuum. Divortiorum "caussâ fiunt maritalia foedera mutabilia: extenuatur mutua benevolentia: infidelitati perniciosa incitamenta suppeditantur: tuitioni atque institutioni liberorum nocetur: dissuendis societatibus domesticis praebetur occasio: discordiarum inter familias semina sparguntur: minuitur ac deprimitur dignitas mulierum, quae in periculum veniunt ne, cum libidini virorum inservierint, pro derelictis habeantur. Et quoniam ad perdendas familias, frangendasque regnorum opes nihil tam valet quam corruptela morum, facile perspicitur prosperitati familiarum ac civitatum maxime inimica esse divortia." [1]

De rerum genere civili, compertum est atque exploratum, in re publica praesertim populari, cuiusmodi vestra est, quanti referat probos esse ac bene moratos cives. In libera civitate, nisi iustitia vulgo colatur, nisi saepius ac diligenter ad evangelicarum praecepta legum multitudo revocetur, potest ipse esse perniciosa libertas. Quotquot igitur ex ordine Cleri in erudienda multitudine elaborant, hunc locum de officiis civium enucleate pertractent, ut id persuasum penitusque comprehensum animo habeant universi, in omni munere vitae civilis fidem praestari, abstinentiam, integritatem oportere:

1 Enc. *Arcanum.*

quod enim privatis in rebus non licet, id nec in publicis licere. De hoc genere toto in ipsis encyclicis litteris, quas in Pontificatu maximo subinde conscripsimus, complura, ut nostis, praesto sunt, quae sequantur et quibus pareant catholici. Libertatem humanam, praecipua christianorum officia, principatum civilem, civitatum constitutionem christianam scribendo edisserendoque attigimus, depromptis cum ex evangelica doctrina, tum ex ratione principiis. Qui igitur esse cives probi volunt et in officiis suis cum fide versari, facile sumant ex litteris Nostris formam honestatis.—Simili modo insistant sacerdotes Concilii Baltimorensis III statuta ad populum meminisse: ea maxime quae de virtute temperantiae sunt, de catholica adolescentium institutione, de frequenti sacramentorum usu, de obtemperatione iustis legibus institutisque reipublicae.

De ineundis quoque societatibus, diligentissime videndum ne quis errore fallatur. Atque hoc intelligi nominatim de opificibus volumus: quibus profecto coire in sodalitia, utilitatum sibi comparandarum gratiâ, ius est, libente Ecclesia, nec repugnante natura: sed vehementer interest, quibuscum sese coniungant, ne ubi rerum meliorum adiumenta requirunt, ibi in discrimen vocentur bonorum multo maximorum. Huius discriminis maxima cautio est ut secum ipsi statuant, numquam commissuros ut ullo tempore ullâve in re iustitia deseratur. Si qua igitur societas est, quae a personis regatur non recti tenacibus, non religioni amicis, eisque obnoxie pareat, obesse plurimum publice et privatim potest, prodesse non potest. Maneat ergo, quod consequens est, non modo fugere consociationes oportere, Ecclesiae iudicio aperte damnatas, sed eas etiam, quae prudentium virorum maximeque Episcoporum sententiâ, suspectae periculosaeque habeantur.

Imo vero, quod est valde ad fidei incolumitatem conducibile, malle catholici debent cum catholicis congregari, nisi fieri secus coegerit necessitas. Sibi vero inter se societate conglobatis praeesse sacerdotes aut laicos probos atque auctoritate graves jubeant: iisque consilio praeeuntibus, consulere ac perficere pacate nitantur quod expedire rationibus suis videatur, ad normam potissimum praeceptorum, quae Nos litteris encyclisis *Rerum novarum* consignavimus. Hoc vero numquam sibi patiantur excidere, vindicari et in tuto poni iura multitudinis rectum esse atque optabile, verumtamen non praetermittendis officiis. Officia vero permagna ea esse, aliena non tangere; singulos esse sinere ad suas res liberos; quominus operam suam collocare queat ubi libet et quando libet, prohibere neminem.

Quae per vim et turbas facta superiore anno vidistis in patria, satis admonent americanis etiam rebus audaciam immanitatemque perduellium imminere. Ipsa igitur tempora catholicos iubent pro tranquillitate contendere rerum communium, ideoque observare leges, abhorrere a vi. nec plura petere quam vel aequitas vel iustitia patiatur.

Has ad res multum sane conferre operae possunt, qui se ad scribendum contulere, maxime quorum in commentariis quotidianis insumitur labor. Haud latet Nos, multos iam in hac palaestra desudare bene exercitatos, quorum laudanda magis est, quam excitanda industria. Verumtamen legendi noscendique cupiditas cum tam vehemens sit apud vos ac tam late pertineat, cumque bonorum iuxta ac malorum maximum possit esse principium, omni ope enitendum, ut eorum numerus augeatur, qui scribendi munus scienter atque animo optimo gerant, religione duce, probitate comite. Atque id eo magis apparet in America necessarium propter consuetudinem usumque catholicorum cum alienis catholico nomine : quae certe caussa est quamobrem nostris summa animi provisione constantiâque singulari sit opus. Erudiri eos necesse est, admoneri, confirmari animo, incitari ad studia virtutum, ad officia erga Ecclesiam, in tantis offensionum caussis, fideliter servanda. Ista quidem curare atque in istis elaborare, munus est Cleri proprium idemque permagnum : sed tamen a scriptoribus ephemeridum et locus et tempus postulat, idem ut ipsi conentur, eademque pro caussa, quoad possunt, contendant. Serio tamen considerent, scribendi operam, si minus obfuturam, parum certe religioni profuturam, deficiente animorum idem petentium concordia. Qui Ecclesiae servire utiliter, qui catholicum nomen ex animo tueri scribendo expetunt, summo consensu, ac prope contractis copiis oportet dimicare : ut plane non tam repellere, quam inferre bellum, si qui vires discordiâ dissipant, videantur.—Non absimili ratione operam suam ex frugifera et fructuosa in vitiosam calamitosamque scriptores convertunt, quotiescumque consilia vel acta episcoporum ad suum revocare iudicium ausint, abiectâque verecundiâ debitâ, carpere, reprehendere : ex quo non cernunt quanta perturbatio ordinis, quot mala gignantur. Ergo meminerint officii, ac iustos modestiae fines ne transiliant. In excelso auctoritatis gradu collocatis obtemperandum Episcopis est, et conveniens consentaneusque magnitudini ac sanctitati muneris habendus honos. Istam vero reverentiam, " quam praetermittere licet nemini, maxime in catholicis ephemeridum auctoribus luculentam esse et velut expositam ad exemplum necesse

est. Ephemerides enim ad longe lateque pervagandum natae, in obvii cuiusque manus quotidie veniunt, et in opinionibus moribusque multitudinis non parum possunt."[1] Multa multis locis Nosmetipsi de officio scriptoris boni praecepimus: multa item et a Concilio Baltimorensi III, et ab Archiepiscopis qui Chigagum anno MDCCCLXCIII convenerant, de communi sententia sunt renovata. Huiusmodi igitur documenta et Nostra et vestra habeant notata animo catholici, atque ita statuant, universam scribendi rationem eisdem dirigi oportere, si probe fungi officio volunt, ut velle debent.

Ad reliquos iam cogitatio convertitur, qui nobiscum de fide christiana dissentiunt: quorum non paucos quis neget hereditate magis, quam voluntate dissentire? Ut simus de eorum salute solliciti, quo animi ardore velimus ut in Ecclesiae complexum, communis omnium matris, aliquando restituantur, Epistola Nostra Apostolica *Praeclara* novissimo tempore declaravit. Nec sane destituimur omni spe: is enim praesens respicit, cui parent omnia, quique animam posuit ut *filios Dei, qui erant dispersi, congregaret in unum.*[2] Certe non eos deserere, non linquere menti suae debemus, sed lenitate et caritate maxima trahere ad nos, omnibus modis persuadendo, ut inducant animum introspicere in omnes doctrinae catholicae partes, praeiudicatasque opiniones exuere. Qua in re si episcoporum Clerique universi primae sunt partes, secundae sunt laicorum: quippe quorum in potestate est adiuvare apostolicam Cleri contentionem probitate morum, integrate vitae. Exempli magna vis est, in iis potissimum qui veritatem ex animo anquirunt, honestatemque propter quamdam virtutis indolem consectantur, cuiusmodi in civibus vestris numerantur perplures. Christianarum spectaculum virtutum si in obcaecatis inveterata superstitione ethnicis tantum potuit, quantum litterarum monumenta testantur, num in iis, qui sunt christianis initiati sacris, nihil ad evellendum erroem posse censebimus?

Denique nec eos praetermittere silentio possumus, quorum diuturna infelicitas opem a viris apostolicis implorat et exposcit: Indos intelligimus et Nigritas, Americanis comprehensos finibus, qui maximam partem nondum superstitionis depulere tenebras. Quantus ad excolendum ager! quanta hominum multitudo partis per Iesum Christum impertienda beneficiis!

1 Ep. *Cognita Nobis* ad Archiepp. et Epp. Provinciarum Taurinen. Mediolanen Vercellen. XXV Ian. an. MDCCCLXXXII.

2. Io. xi, 52.

Interea caelestium munerum auspicem et benevolentiae Nostrae testem, vobis Venerabiles Fratres, et Clero populoque vestro, Apostolicam benedictionem peramanter in Domino impertimus.

Datum Romae apud Sanctum Petrum die VI Ianuarii, Epiphania Domini, An. MDCCCXCV, Pontificatus Nostri decimo septimo.

LEO PP. XIII.

"SANATIO" PRO CONFRATERNITATE B. M. V. DE MONTE CARMELO.

BEATISSIME PATER :

Vicarius Generalis Carmelitorum Excalceatorum ad osculum sacri pedis devote prostratus, Sanctitati Vestrae exponit quod saepe saepius adscriptio fidelium Confraternitati B. M. V. de Monte Carmelo invalida est sive ex eo quod omittitur inscriptio nominum horum fidelium, sive quia omittitur aliqua alia formalitas.

Jamvero, ne fideles taliter recepti frustrentur gratiis privilegiisque concessis praedictae Confraternitati, orator humili deprecatione Sanctitatem Vestram exorat ut benigne dignetur concedere plenam sanationem pro omnibus receptionibus usque modo factis in hanc Confraternitatem, quae invalidae essent quocumque modo.

Sacra porro Congregatio Indulgentiis Sacrisque Reliquiis praeposita, utendo facultatibus specialibus a S. D. N. Leone Papa XIII. concessis, petitam sanationem benigne concedit.

Datum Romae e Secretaria dictae Congr. die 20 Junii 1893.

FR. IGNATIUS *Card.* PERSICO, *Praef.*
✠ ALEX. *Archiep.* NICOP., *Secret.*

REPROBATUR USUS ROTAE DICTAE "VELOCIPEDE."

PERILLUSTRIS AC RME DNE UTI FRATER.

Haec S. Congregatio Episcoporum et Regularium maturo examini subjecit, quae Amplitudo tua retulit circa sacerdotes utentes rota dicta *Velocipede*. Itaque S. eadem Congregatio zelum et prudentiam Amplitudinis tuae collaudat atque commendat, nam prohibitio hujusmodi non solum liberat a corporis periculis sacerdotes ipsos, sed scandala avertit a fidelibus et irrisionem ipsorum sacerdotum. Interea tibi adprecor a Domino fausta omnia atque prospera.

Amplitudinis Tuae, uti Frater,

Romae 28 Sept. 1894. ISIDORUS *Card.* VERGA, *Praef.*

BOOK REVIEW.

LE PAPE LEON XIII: sa vie, son action religieuse, politique et sociale, par Mgr. de T'Serclaes, Prelat de la maison de Sa Saintété, President du Collège ecclesiastique Belge a Rome. Deux volumes gr. 8vo. richement illustrés, de 600 pages.—Edition de luxe, prix, Fr. 20.00..—Edit. ordinaire, prix, Fr. 15.00.—Desclée, de Brouwer et Cie. Paris et Lille. 1894. (Hudson Importing Co., New York.)

It has been said that the worth of great men's lives can be justly estimated only at a distance, that is to say, after they have passed away from the scenes in which they were prominent actors. No doubt this is true also in the case of Leo XIII, albeit his own generation seems to recognize him as a central force in the ecliptic of our century. But in any case it must be deemed an advantage to have the testimony of contemporaries relative to the facts all grouped into an harmonious whole, which will furnish the foundation upon which the future historian may build his estimate, no less of the influence exerted, than of the results effected by the life of the present Pontiff.

Mgr. De T'Serclaes may be presumed to possess special, we would almost say unique, qualifications for writing the biography of one whose friendship both he and his father have enjoyed in a marked degree. During the time when Mgr. Pecci officiated as nuncio in Belgium, Mr. De T'Serclaes, the elder, was governor of the Belgian province of Limburg, an old nobleman of the family of Tilly, if we mistake not, and greatly esteemed for his sterling Catholic qualities by the present Pontiff, to whom the son of his old friend is not less dear. The advantage of such relation, on the part of the writer, to the subject of his biography is at once in evidence when we examine the numerous authentic documents which give minute information regarding the earlier life of Leo XIII. We are introduced to the archives of the Pecci family at Carpineto; fresh light

is thrown on the inner history of the life of the young monsignore whilst delegate at Benevento and later during his nunciature at Brussels. The latter period is full of details which show how the youthful priest had from the first learned to master that rare art of diplomacy which divines the motives of men, yet without judging them ; which knows how to evade the shrewd overtures of political tricksters and yet avoid duplicity and falsehood ; which can resist the encroachments of arrogant power, without noise of strife or loss of dignity. Everywhere the Count Pecci stands before the world in which he moves as the priest, singleminded, of unblemished character, revered, though not without enemies.

And when these years of schooling for the strife in the world political and ecclesiastical are past, we see him retire to the bishopric of Perugia, where he labors in silence for more than thirty years. But if the world had forgotten the young diplomat, the quaint, old Umbrian city, with its etruscan gateway and Pisano's marble eulogy of Pope Benedict, was daily growing prouder of the living treasure within its walls. Never had a bishop so well ruled his flock ; and the pastoral care which he extended to all within his realm, effected a change for the better in the halls of the great as in the homes of the poor. If Gregory XVI was forced to reply to the gaoler who complained that the prisons of Rome were full, by saying that there were empty tombs, Mgr. Pecci could announce to the municipality that it might close the prisons of Perugia and reduce the police force, because he would guarantee them public peace and order by teaching the people that religion well observed was not only a preventive of crime but a security of prosperity.

The " Life of Leo XIII," by Mgr. T'Serclaes, is in all respects a faithful record of the acts of the Pontiff, and as such it is a magnificent vindication from those sinister aspersions by which his motives have at times been criticized. If the sovereign Pontiff's position, as ruler of the Church, in times like these, is the most difficult of all responsible places on earth, it is equally difficult to measure from every point of view the opportuneness and importance of his acts, especially when they are directed toward some local reform.

Our limited space does not permit us to enter into a discussion of the details given in this really magnificent work by Mgr. de T'Serclaes. The author's scrupulous analysis of every important act in the life of our illustrious Pontiff, the comprehensive views he gives of the various elements which have been brought into contact

with that life, and, finally, the literary style in which the work is done, deserve unstinted praise. The typography and "make up" of the volumes are in keeping with the noble subject discussed in their pages.

Where there is so much worthy of commendation, the reviewer must necessarily feel some repugnance to find any fault, and yet we would be untrue to our constant purpose if we did not express our disappointment and regret at the manner in which the author treats the memorable school controversy of recent years in the United States. No doubt Mgr. T' Serclaes is not conscious of any partisanship on his side. He has used, as his writing shows, the documents as they have appeared in the *Moniteur*, a paper which has for years faithfully served Rome with "news" from its most *generous* subscribers in America. Let anyone read the fifteenth chapter of the second book of Kings, and he will understand how Mgr. T' Serclaes could take the view he does, a view which we should not be surprised to see shared by our Holy Father himself, for Absalom might gain the ear of David as readily as that of "every man in Israel." In the meantime, those whose judgment as well as knowledge of facts is worthy of every consideration, and who have had no reason to be biassed when they gave their opinion in the pages of the ECCLESIASTICAL REVIEW, have the consolation that they remain loyal, despite adverse decisions from rightful authority, and there is no doubt that the old motto—

Judicium melius posteritatis erit,

will verify itself in this as in so many other cases which history records of men who like Absalom had raised a pillar "in their lifetime" in the king's valley.

ST. LUKE'S. A Magazine for Clergy-House and Home.—London: Washbourne. Vol. I, No. 1, January, 1895. Pr. 12 shillings.

This is a typical English monthly for "Clergy-House and Home" which will, no doubt, find favor with many American readers. Its more or less ecclesiastical character gives it a distinct field from that occupied by the London *Month* and *Merry England*. It is calculated to do much good, especially in directing the current of the Anglican movement.

CATHOLIC AND PROTESTANT COUNTRIES COMPARED in Civilization, Popular Happiness, General Intelligence and Morality. By Alfred Young, C.S.P.— New York: The Catholic Book Exchange, 1894. Pp. 628, bd. Pr. $1.00.

It is an old objection against the Church, and one with a plausible surface to it, that what are called Catholic nations show a decided inferiority to those countries where Protestantism prevails, on the score of intellectual, industrial and social progress. The fallacy has a many-fold source. Not to speak of the common prejudice which wilfully ignores merit when the possessor belongs to an unpopular party, it is to be remembered by those who would form a fair estimate of the real influence of the Catholic Church upon national progress, that it is one of the prerogatives of that Church that she gathers unto herself the poor and the waifs; that, therefore, she does not lay the same stress upon the adoption of artificial means to hide poverty and weakness from the public gaze, which a purely secular institution or government is apt to provide, under the plea that poverty is odious. Material prosperity may be attained, and indeed is more commonly attained, where religion is neglected, and material prosperity favors that general culture which is looked upon as social and educational progress. It could be no argument against the religion of Moses that the Egyptian surpassed his Jewish bondsman in scholarship and warfare and the fine arts of leisurely life. The same plea holds good with regard to the faith of Catholics.

Moreover the so-called Catholic countries are not the countries seemingly under Catholic rule. The people of Italy, though they have the Sovereign Pontiff in their very midst, have for a long time been the victim of intrigues by leaders of factions in the pay of foreign powers, by ambitious and idle ecclesiastics, or unprincipled demagogues no better than political bandits. Between the agencies of Bourbon and Piedmontese politicians, the papal authority in the days of Pius IX, as in those of Leo XIII, found itself powerless to carry out educational reforms within the very territory of the Pontifical States. In the same way we find the people of France, Spain, Portugal, Mexico and other countries suffer from the legislation of rulers hostile to the Church who withhold from the Catholic population those means of progress which they will not allow them in conjunction with their religion.

But to the thoughtful and just observer to whom outward pros-

perity with its attendant polish of manner does not represent all of true progress, the facts reveal a very different story. If Christtianity has been in reality that civilizing force which proved itself capable of ennobling the culture of old Greece and Rome, then Catholicity is the one lasting element which educates and advances man to a higher and nobler estate even here on earth. "Success is not the sign of progress." The ignominy of the Catholic cross, a scandal and a mockery to our wise generation, does not the less stand for a symbol and medium of highest wisdom to-day among despised nations than it did in the days of St. Paul among the humble converts of proud Rome or polished Greece.

Wherever the Catholic Church has really had the freedom of action and the peerless representation of a zealous and virtuous ecclesiastical body, there her progress is phenomenal, solid and lasting.

This fact Father Young undertakes to show by giving proof that the doctrine and discipline of the Catholic Church, not as popularly misrepresented, but as rightly understood, are alike favorable to the advancement of education, of national unity and social order, qualities which furnish the only solid basis for enduring popular prosperity,

Apart from the positive side of his argument, the writer had necessarily to enter into an examination of certain alleged "facts" used by the enemies of the Church to discredit her mission. From this point of view the book presents a striking piece of polemic literature. It abounds in citations and statistics collated mostly from non-Catholic sources which render the book exceedingly useful as an armory in ordinary religious polemics. The style is terse and of that modern popular character which is apt to secure it many readers among the unprofessional defenders of the Catholic Faith.

We plead for the correction of a few errors, some of which, if allowed to stand, might expose the author to the charge of that willful exaggeration which he so mercilessly exposes in his adversaries.

On page 366 a striking example is cited to prove the frequency with which the Catholic translation of the Bible was printed before Luther was born, which fact would refute the calumny that the so-called reformers were the first to show the Word of God to the people. "The library of the Paulist Fathers of New York City contains a copy of the *ninth edition* of a German Bible profusely

illustrated with colored wood engravings, and printed by Antonius Coburger (Coberger?) at Nüremberg in 1483 . . . The first edition of this same Bible was issued in 1477." Whence Father Young concludes (what would indeed be a very remarkable proof of Catholic activity, within thirty years after the invention of printing) that during six years nine editions of the Bible were printed in one city. The fact is that Father Young's Bible, about the genuineness of which we have no doubt, is the first edition—and in a sense also the last—of those printed by Coberger at Nüremberg. There are still some 58 copies of it to be found in different important libraries of Europe. The wood-cuts in it are taken from one of the two Cologn editions of the Low German Bible issued three years before, whilst the text really offers a new translation or at least a correction of the Mentel and Eggestein versions; and it was twice reprinted by Schönsperger at Augsburg in his editions of 1487 and 1490. We have not, of course, seen the title page of the Bible above cited but venture to say that it does not contain the statement of "ninth edition." Perhaps the error arose from some note on the margin intended to state that it is the ninth of all the known translations made before Luther's time. This would be more correct, if we count from the first High German version (Strassburg, 1466).

It is easy to see, therefore, why this instance would rather endanger Fr. Young's argument otherwise so excellently set forth.

JOURNALS KEPT DURING TIMES OF RETREAT. By Father John Morris, S.J. Selected and edited by Father J. H. Pollen, S.J. London: Burns & Oates. New York, Cincinnati, Chicago: Benziger Bros., 1894.

In a letter of St. Francis Xavier written on the eve of his departure for Goa, he advises a certain Father Antonio Eredia strongly "to make a little journal and note down carefully in it the secret illuminations with which God enlightens your mind in your daily meditations." This method of studying himself in the reflected light of divine wisdom was observed, for many years, by the late Father Morris. It is needless to say that, when he wrote this journal, his mind never contemplated the probability of its publication. He might have utilized, in the composition of some spiritual treatise, many of the thoughts which thus came to him in the secrecy of retreat, but such a book would have had a different form from that which we find here. Father Pollen has, without writing a biography

of his friend and associate, dead but little over a year, preserved to us the lineaments of his soul. These will serve as a model to others who would perfect in themselves the image of God, expressed in the faithful religious.

The notes cover many years of struggle and brief victory, of hope and fears and joys, such as are incident to the life of a spiritual-minded man. There are the first serious reflections of the novice during the four weeks of the Long Retreat, according to the Exercises of St. Ignatius. Then various annual Retreats with some interruptions from 1853 to 1893, and subject matter of daily meditations, all of which are characterized by an originality, spiritual insight and unction which cannot fail to impress the thoughtful reader. The Editor has added a summary exposition of the Meditations in the Book of Spiritual Exercises by St. Ignatius, with annotations throwing light on the terminology of the book and thus helping the reader to a better intelligence of the Journal. The book makes the ninety-first volume of Father Coleridge's "Quarterly Series," and is in the same fine style of publication as the preceding volumes.

THE CHARACTERISTICS OF TRUE DEVOTION. From the French of Rev. J. M. Grou, S.J., by the Rev. Alexander Clinton, S.J. A new edition revised by Rev. Samuel H. Frisbee, S.J., Spiritual Director of Woodstock College.—New York, Cincinnati, Chicago: Benziger Bros. 1895.

Of all Father Grou's ascetic works this is the most popular and probably the most practically useful, not only for the religious but for all conditions of life. Written over a hundred years ago, it has passed through forty editions in the original. Unfortunately the English translations, of which Father Frisbee counts four, did not adhere to the text of their author with sufficient fidelity to save the version from mutilation, and in one case the book has been adapted to the translator's notions of Anglican divinity, which Father Grou would surely have repudiated. The present edition is an entire recasting of form and matter in the moulds of the original, whilst style and terminology are adapted to the intelligence of the modern reader holding the same faith as Father Grou.

The book is, as was intimated above, a practical guide in piety. Religion is the most gentlemanly and rational thing in the world.

Yet there are numberless people who, aiming at possessing an extra amount of it, strike us by their want of considerateness, their pious extravagances which often persuade the world that an incipient saint is essentially a confirmed "crank." The defects are mostly the result of neglected training, and they grow in proportion to the zeal for piety which, in its eagerness to do great things, forgets that it is God's province to *do*, but man's province to follow, to hang on to God, to be taken whither He goes, to be devoted to Him—in short, to *suffer* under the safekeeping of a sympathizing and strong, although, for the time, hidden Father.

Our author gives us a clear view of devotion, true, false, mixed. The characteristics, the methods, the results of a devout life are described in simple terms and applied to the concrete. Thus, for example, he draws in chapter xxxii, a sharp outline marking the difference between the politeness of the world and the cordiality of true devotion. In another chapter he shows how the man truly devout possesses all those noble qualities which distinguish the patriotic citizen. In the small compass of two hundred pages this little volume contains the essence of perpetual joy, success, perfection through devotedness to the highest object of man's being which alone is capable of filling his aspirations.

AU BERCEAU DE L'AUTRE PRANCE. Le Canada et ses premiers Martyrs. Par le P. Fred. Rouvier, S.J. Avec de nombreux dessins. Paris: Victor Retaux et Fils. Rue Bonaparte, 82.

This charmingly written volume makes an important addition to the historical literature of the New World. It deals with the conversion and civilization of Canada by the early Jesuit missionaries and their helpers. The touching self-sacrifices of PP. Brebeuf, Lalemant, Isaac Jogues and Lalande, who gave their indomitable energy, their splendid talents, and, finally, their blood, in order to plant the Faith of Christ on the beautiful soil of New France, read like the acts of the early Apostles and martyrs. The ardent patriotism which, sanctified by religious motives, gave to their labors that characteristic charm which is still recognized in the missionary zeal of the sons of France throughout all lands to-day, is brought into strong relief by P. Rouvier, and teaches an apt lesson to those bitter zealots of the present who attempt to discredit the fundamental truth that loyalty to the Catholic Church can only increase and deepen the loyalty to one's country.

BOOKS RECEIVED.

CURSUS PHILOSOPHIAE in usum scholarum, auctoribus pluribus philosophiae professoribus in Collegii Exaetensi et Stonyhurstiensi Societatis Jesu.—**PSYCHOLOGIA RATIONALIS**, auctore Bernardo Boedder, S.J.—Friburgi, Br. Herder. (St. Louis, Mo.) 1894. Pg. xvii., 344. *Pr.*, $1.25.

SUMMA SYNTAXICA cum thematis ad exercendum. Auctore Mario Laplana, S.J. Pars Prima: Summa Syntaxica.—Friburgi, Br. Herder. (St. Louis, Mo.) 1895. Pg. xiv, 352. *Pr.* $1.40.

THE MISSING LINKS of the (English Religious) Establishment: Plain Facts bearing on orders, jurisdiction, and the theory of continuity. By W. W. Hardwicke, M.D.—London: Washbourne.—1894.

BERNADETTE OF LOURDES. A. Mystery. By E. Pouvillon. Translated by Henry O'Shea.—London: Burns & Oates. (New York, Cincinnati, Chicago: Benziger Bros.) 1895.

ORDO DIVINI OFFICII recitandi Missaeque celebrandi, juxta rubricas breviarii ac missalis romani, pro anno communi 1895. (Baltimore) 1895. John Murphy & Co., Baltimore, Md. (Every other page blank for memoranda.) *Pr.*, bd., 30c.

AMERICAN AND ROMAN ORDO COMBINED. 1895. John Murphy & Co. *Pr.* bd. 50c. Interleaved, 75 cents.

THE CATHOLIC GIRL IN THE WORLD. By Whyte Avis. With Preface by the V. Rev. R. F. Clarke, S.J.—London: Burns & Oates (Benziger Bros.).

DER HAUSFREUND. Illust. Famil. Kalender für 1895. Verlag des Volksfreund, Buffalo, N. Y. (Mühlbauer & Behrle, Chicago, Ill.)

COMPLETE VESPERS FOR CHRISTMAS, containing prelude, antiphons, psalms, hymn, magnificat, responsories, the anthem "Alma Redemptoris mater," for 1, 2, 3 or 4 parts, with organ accompaniment. By J. Singenberger. *Pr.* 35c.

INDIFFERENTISM, or "Is One Religion as Good as Another?" By the Rev. John MacLaughlin. 40th thousand.—London: Burns & Oates. —1894.

AMERICAN ECCLESIASTICAL REVIEW.

NEW SERIES—VOL. II.—(XII.)—MARCH, 1895.—NO. 3.

THE UNION OF CATHOLIC ASSOCIATIONS FOR THE PROMOTION OF TEMPERANCE.

IN the December number of the ECCLESIASTICAL REVIEW, Bishop Messmer proposed a scheme for uniting the various Catholic organizations in the United States which have, directly or indirectly, for their object the promotion of temperance. The evil of intemperance being recognized as one of the principal and widespread hindrances to the material as well as moral progress of our people, the writer showed, not only that the warfare against it was worthy of the united efforts of all, but that by a union of forces it could be waged with much more hope of success than is warranted by the isolated efforts of individual associations. In the first place, a union would increase the strength of the regular combatants in the cause of temperance, by directing their attacks from a common centre, in a uniform manner, upon the strong points in the hostile camp; in the second place, it would largely increase the number of combatants, by recruiting to its ranks those who, whilst in favor of the movement, find themselves nevertheless prevented from